

## WITHDRAWAL

*Executive nomination withdrawn from the Senate March 23  
(legislative day of Feb. 24), 1936*

POSTMASTER

NORTH DAKOTA

Ronald Keeley to be postmaster at Hazen, in the State of North Dakota.

## HOUSE OF REPRESENTATIVES

MONDAY, MARCH 23, 1936

The House met at 12 o'clock meridian.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Heavenly Father, who hath commanded the light to shine out of darkness, shine in our hearts that the excellency of the power may be of God and not of us. Believing in Thy Holy Word and knowing of the pure earthly life of the Master, may we have thoughts that widen and purify the soul. Teach us how to make humility noble, how to make self-respect humble, and how to do justice to all men. Blessed Lord God, there come to our troubled spirits feelings that appall; they throw a strange, dark shadow on our peace and at times stagger our understanding. They remind us of human frailty and the utter weakness of all things material. We most earnestly pray that these days may cause a serious pause throughout our country. Keep it face to face with the virtues and claims of the higher life, realizing the essence of that which is divinely great and abiding. Almighty God, make the waste lands to rejoice; fill desolate dwelling places with comfort and courage; bless richly the children and fill their hearts with gladness, and stimulate man everywhere to be a lover of purity and a builder of happy homes. Through Christ our Savior. Amen.

The Journal of Friday, March 20, 1936, was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 234. Joint resolution authorizing the Senate Special Committee on Investigation of Lobbying Activities to employ counsel in connection with certain legal proceedings, and for other purposes.

## THE FLOOD SITUATION—HARNESSING OUR RIVERS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the flood situation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, several days ago I introduced a bill for the creation of a Potomac Valley Authority, to develop that historic stream, control its floods, improve navigation, and generate cheap hydroelectric power for the people in the District of Columbia and the surrounding States.

On Thursday last I stood upon the banks of that usually placid river and watched its turbulent waters roaring past in one of the most destructive floods of all time.

I saw bits of furniture, dead animals, and fragments of wrecked homes amid the nondescript debris that went rushing past on its foaming crest.

I saw hundreds of laborers toiling unremittingly to prevent its waters from spreading and inundating public buildings in the Nation's Capital.

As I looked upon those raging waters, turned almost to the color of gold by the soil and sand dragged down from the hills above, impoverishing this country in the years to come, I thought that indeed it might be termed a stream of gold, bearing to the sea its untold wealth of hydroelectric power, as well as carrying away the soil from which future generations must live.

I thought that here we are in the Capital of the greatest Nation on earth, in the midst of our boasted civilization,

when mankind has gained the greatest ascendancy over the forces of nature, and the most complete command of his surroundings ever attained since the world began, letting this stream go on its "mad career of ruin", instead of harnessing it, controlling it, and bending its unmeasured energies to light the homes, reduce the burdens, increase the comforts, improve the health, and do the work and will of man.

I cannot believe that civilized America will stand thus idly by and see this devastation wrought from year to year along the rivers of our country and this unlimited wealth of power run waste and wanton to the sea merely because, forsooth, its development would run counter to certain greedy, selfish interests or the whims of misguided sentimentalists who are afraid its improvement might tend to "mar the scene."

As I gazed upon that "scene" last Thursday and contemplated the loss of human life, the destruction wrought, the devastation done to peaceful homes, the suffering of men, women, and children, all of which could be prevented in the future by the construction and operation of these dams, which in themselves would add to the scenic beauty, I wondered whether or not these selfish interests and silly sentimentalists would be permitted to block this progress in the years to come.

When I realized that this same devastation was being wrought upon other rivers—from the Susquehanna to the James; yes; from Maine to Mexico—and that people on the Ohio and the lower Mississippi were awaiting the inevitable approach of the devastating floods that now race through the streets of Pittsburgh, Pa., and Wheeling, W. Va., I thought that out of these disasters might come an awakening of the American people to the necessity of a national program for the development of our navigable streams, to control their floods, protect our soil, improve navigation, and provide the people of this great country with unlimited supplies of cheap hydroelectric power, to light every American home, and especially every farm home, at rates the people can afford to pay.

This would be one of the greatest steps forward ever taken by any country since time began.

It would pay for itself in a generation.

It would protect lives and property along our rivers, conserve our soil, enable us to electrify every farm home, at rates based upon the cost of production and distribution, and make this the richest, the most independent, the most powerful, the most prosperous, and the most contented country the world has ever known.

## TENNESSEE-TOMBIGBEE CANAL

Mr. RANKIN. I also ask unanimous consent to extend my remarks in the RECORD by inserting a resolution adopted by the Legislature of Mississippi.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following concurrent resolution adopted by the Legislature of the State of Mississippi:

House Concurrent Resolution No. 8—A concurrent resolution memorializing the President and the Congress of the United States to cut a canal connecting the waters of Bear River and McKeys Creek, thereby turning a portion of the waters of the Tennessee River into the Gulf of Mexico

Whereas by the cutting of a canal connecting the waters of Bear River and McKeys Creek millions of dollars will be saved by the reduction of overflows on the lower Mississippi River; and

Whereas another water inlet and outlet will be opened up, whereby thousands of dollars will be saved on commercial transportation of products of the Tennessee Valley; and

Whereas it is known that there are billions of tons of building stone in Tishomingo County, Miss., and many billions of tons of iron-ore rock in northwest Alabama, and other natural resources of the earth that might be manufactured into useful products if a cheap rate of transportation is provided; and

Whereas thousands of acres of virgin soil will be made suitable for cultivation by taking the overflow water from the Tombigbee River Valley; and

Whereas we believe this canal would be of untold value for military purposes should this country ever become involved in another war with some foreign country: Now, therefore, be it

Resolved by the house of representatives (the senate concurring therein), That we memorialize the President and Congress of the



United States to cut the proposed canal already known as the Tennessee-Tombigbee Canal at as early a date as possible, connecting the waters of Bear River and McKeys Creek; and be it further Resolved, That copies of this resolution be sent to the President and each Member of Congress.

Adopted by the house of representatives February 7, 1936.

F. L. WRIGHT,

*Speaker of the House of Representatives pro tempore.*

Adopted by the senate March 13, 1936.

J. B. SNYDER,

*President of the Senate.*

#### LET US GIVE THE TAXPAYERS A BREAK BY ABOLISHING THE FEDERAL REGISTER

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.  
There was no objection.

Mr. LUDLOW. Mr. Speaker, with principles of social justice now established under the leadership of our humanitarian President, and the darkest days of the depression over, I believe a prescription might be written in two words that would do more than anything else to hasten the coming of normal prosperity and universal happiness in this country. My prescription would be—

"Quit spending." When I advocate a cessation of spending I mean, of course, to stop all spending except such as is absolutely required to run the Government operations on a basis of the strictest economy and retrenchment and whatever additional sums may be necessary for direct relief, to keep men, women, and children from starving until regular jobs—God hasten that time—will be available to all who want to work.

My unemployed friends in this depression have been numbered by the thousands upon thousands of as good men and women as ever lived. It is humiliating to them to rake leaves or to labor at other "made work" that has no economic value, and the thought of having to subsist by the cold hand of charity is to them unbearable and unthinkable. My heart goes out to them and I want to do everything I can to help to lift them out of the slough where such things exist. Their cry is for regular jobs so that, in a manner becoming to the dignity of human beings, they may exercise their God-given right to earn a living for themselves and their loved ones.

Whether they get an opportunity to exercise that God-given right—the American Federation of Labor reports that there are still more than 12,000,000 unemployed—depends, I believe, to a large degree, on a restoration of strict economy in governmental affairs. The fear of debt and taxes paralyzes the business and industrial world, destroys initiative, and blocks recovery. When once it is understood that we are going to cut out useless bureaus and personnel and appropriate only for the bare necessities of government, economically administered, we shall see, in my opinion, a wonderful change in national psychology. People will take heart, cheer will displace gloom, confidence will be restored, and we shall then move forward to better times.

It is because I entertain these views that I declined to sign the petition which was designed to force the hand of the President against a reduction in the C. C. C. activity, notwithstanding several of the best friends I have in the House urged me to sign that petition. I believe the C. C. C. organization is one of the best of the New Deal activities, but when my President makes a move toward the retrenchment in government that is so much needed, and tries to bring about economies, I am not going to oppose him. I am going to do everything I can to strengthen his arm.

To my mind there is something grimly humorous in the phraseology of our bills which says that—

there is hereby appropriated from the United States Treasury out of moneys not heretofore appropriated.

If anyone can find in the United States Treasury any moneys not heretofore appropriated many times over he is a better man than I am. And it is amazing to me that in our pell-mell course toward national bankruptcy we Members of Congress do not pause, think of the consequences, and stop a lot of these expenditures before they swell the vast ocean of our national indebtedness.

We have just experienced floods of the most disastrous character in many sections of the Union. In the wake of those floods will come misery and wretchedness indescribable. I am afraid that in the wake of our national spending is going to come more misery and wretchedness than most of us imagine. For this situation and prospect I do not hold the Congress free from blame. We give too much consideration to groups and blocs and not enough to the weal of the Nation as a whole. We need to get away from such dreamy projects as shelter belts for the arid States, where the good Lord will hardly permit a cactus to grow, and cease our efforts to harness the ocean for the benefit of a small section of New England, and we must cease piling up our appropriations mountain high for impractical and visionary objectives.

#### ECONOMY THROWN OUT OF THE WINDOW

When I say that Congress is not without fault I direct your attention to a concrete example.

The Appropriations Subcommittee, of which I am chairman, spent many long and wearisome weeks paring down the estimates for the Treasury and Post Office Departments for the fiscal year 1937; we cut off every dollar we thought could be eliminated without impairing the vital operations of the Government.

We brought to this House what we thought was a good bill. Certainly it was an economical bill. The House endorsed it and passed it. Then what happened? The body at the other end of the Capitol threw all of our good work into the discard and practically rewrote the bill, restoring the increases of appropriations and personnel which we of our subcommittee believe are indefensible. The bill as it passed the upper branch gives a pale and sickly look to Republican economy pledges and the plank in our last Democratic national platform in which we pledged a 25-percent cut in the normal operating expenses of the Government.

But my purpose in submitting these observations today is not so much to deliver a general homily on economy in government as it is to point out specifically one expenditure which I think should be stopped and stopped immediately, before another dollar is spent on it.

#### THE FEDERAL REGISTER

That is the expenditure for the publication of what is known as the Federal Register. In my opinion that expenditure should be stopped because it is wasteful and because the Federal Register does not have a value the size of a grain of mustard seed. We have already carried in this year's appropriation bills a total of \$289,760 for this publication.

The cost per annum of publication of just the current governmental orders in this Register, which is to be issued 5 days a week, will be more than a quarter of a million dollars or, to be exact, \$263,320, provided there is no expansion of the present personnel which would be contrary to the usual bureaucratic experience. This includes \$225,000, the cost of printing at the Government Printing Office, and \$38,320, the salary roll of the division now engaged in preparing the copy for the Public Printer.

Now, mind you, this does not include the cost of printing any of the vast accumulation of regulations, orders, proclamations, and so forth, running back for a period of more than 50 years in our country's history. What it will cost to print those only the Lord knows. Mr. Giegengack, the able Public Printer, does not know, for he testified before our legislative subcommittee on appropriations as follows:

It is impossible to give any idea as to what it will eventually cost to print the present accumulation of existing orders, proclamations, and regulations that now have the force and effect of law. It has been stated that there are literally truck loads of them and that the Archivist would need to increase his building 100 percent in order to hold them all.

Yet under the amazing act for the creation of the Federal Register it is directed that this vast accumulation of governmental orders, regulations, etc., shall be published in the Register. What a package that is to hand to the taxpayers of the United States. It would be like publishing all outdoors, and the cost is unfathomable.

It is now proposed to codify the accumulation and publish the codification, instead of the text of the orders, regulations, etc., but the amendment proposed to that effect has not been reported out of committee and even the cost of editing and publishing a codification would be staggering and in my opinion wholly unjustifiable.

#### A WELL-MEANT BUT MISTAKEN EFFORT

The author of the act creating the Federal Register is a friend of mine. I value his friendship highly, and I admire him for his great ability both as a lawyer and as a legislator. I could not, if I desired to do so, challenge the worthiness of his purposes in introducing this legislation. But I believe he is mistaken and that the best interests of the country require that the publication of the Federal Register be terminated forthwith and that no more money be spent uselessly on it.

The theory back of this enterprise was that there is such a multiplicity of governmental orders and regulations that citizens are likely to violate them and thus incur penalties unwittingly because the particular order which they violate has never been brought to their attention.

I think it is a sufficient commentary to say that even if it is the duty of Government to bring such orders to the attention of citizens, which is a direct reversal of the old legal maxim that Ignorantia juris non excusat, the fact remains that it can never be done by publication in the Federal Register. Up to date there are just 69 subscribers to the Federal Register, an inconsequential number among 127,000,000 people.

If these 69 subscribers were yearly subscribers and were to pay the full purchase price of \$10 a year each, the total revenue from subscriptions would be \$690 a year, as against a charge of \$263,320 against the taxpayers, to say nothing of the enormous additional cost if the accumulation of orders is to be printed.

#### A FLAT PUBLICITY TIRE

It is obvious that with such a limited number of subscribers the Federal Register is going to be a flat tire when it comes to spreading information among the people who might be affected by governmental orders and regulations.

I will venture to say that if a diligent person were to spend an entire day canvassing from door to door, up one street and down another street, or from farmhouse to farmhouse, in any district of any Member of this House, it would be the very rarest exception when he would find any person who had any knowledge whatever of the Federal Register. I believe the answer in at least 99 cases out of 100 would be, "I never heard of it."

In the nature of things this condition will continue as long as the Register is published. It will never make even a dent. It will never serve the purpose intended because the people will never see it. Large business houses probably will see it and find it a convenience and will subscribe for it, but they have their Washington agents to keep them advised in regard to Executive orders and regulations and it is not a justification for its publication to say that it might be some accommodation to them.

#### A FLOWER OF BUREAUCRACY

This Federal Register does something more which we should not think of doing at the present time by creating a new bureaucratic excrescence to add to our already swollen governmental personnel, known as the Division of the Federal Register, The National Archives. The Director is a presidential appointee and draws a salary of \$4,800 a year.

I asked The National Archives to furnish me the present salary set-up of this new addition to the bureaucratic family and I received the following letter in reply:

THE NATIONAL ARCHIVES,  
Washington, D. C., March 19, 1936.

Hon. LOUIS LUDLOW,  
House of Representatives,  
Washington, D. C.

MY DEAR MR. LUDLOW: In response to your request the titles, grades, and salaries of the employees in the Division of the Federal Register, The National Archives, are listed below:

Title	Grade	Salary
Director.....		\$4,800
Editor (The Federal Register).....	P-4	3,800
Associate attorney examiner.....	P-3	3,200
Do.....	P-3	3,200
Do.....	P-3	3,200
Assistant editor.....	P-2	2,600
Assistant attorney examiner.....	P-2	2,600
Do.....	P-2	2,600
Do.....	P-2	2,600
Clerk-stenographer.....	CAF-4	1,800
Assistant clerk-stenographer.....	CAF-3	1,620
Junior clerk-stenographer.....	CAF-2	1,620
Do.....	CAF-2	1,440
Do.....	CAF-2	1,440
File clerk.....	CAF-4	1,800
Total number of persons, 15.....		38,320

I hope this is the information you desire.  
Very truly yours,

THAD PAGE,  
Administrative Secretary.

Of course, if we go into the business of publishing all of the accumulated orders and regulations we may expect a rapid expansion of this division's personnel and a thriving new addition to the bureaucratic family of governmental pay-rollers.

#### PLEA FOR MR. COCHRAN'S BILL

On February last our colleague, Hon. JOHN J. COCHRAN, of Missouri, introduced a bill to repeal the act creating the Federal Register. In my judgment it is a wise measure and it ought not to die in committee.

I think the Committee on the Judiciary has a duty to report this repealing measure to the House so that we may take it up on the floor, in friendly spirit and with credit to the good intentions of everybody concerned, and let us have a determination and a show-down as to whether, in the judgment of the House, this publication should be continued.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. DIES. Mr. Speaker, I ask unanimous consent to address the House for 12 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DIES. Mr. Speaker, ladies and gentlemen of the House, a few days ago I charged that the Mexican consul at Laredo was organizing Mexican aliens and Mexican citizens into Mexican labor unions or associations, either under the jurisdiction of or affiliated with the Mexican Government.

The Consul General of Mexico has denied that in a news story and challenged me to give the evidence on which I base the charges.

The issue of the Laredo Times of Sunday, March 15, which is presumably sympathetic with the Mexican Government, has this article—

Mr. BLANTON. Mr. Speaker, this speech my colleague is making is a most important one and Members ought to hear it. I make the point that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point that no quorum is present. Evidently there is no quorum present.

Mr. O'CONNOR. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

#### [Roll No. 43]

Adair	Clark, Idaho	Frey	Lehibach
Allen	Connery	Fulmer	Lesinski
Amille	Cooley	Gambrill	Lord
Berlin	Cox	Gingery	Lucas
Bolton	Culkin	Gray, Ind.	Lundeen
Brennan	Daly	Greenway	McGroarty
Brewster	Darrow	Hartley	McLeod
Brooks	Dear	Hobbs	Marcantonio
Buckbee	Dempsey	Hoepfel	Marshall
Buckley, N. Y.	Dorsey	Kee	Mason
Bulwinkle	Duffey, Ohio	Keller	Miller
Cannon, Wis.	Eckert	Kennedy, Md.	Montague
Casey	Eicher	Kocialkowski	Moritz
Cavichia	Evans	Lambeth	Oliver
Claiborne	Fenerty	Lee, Okla.	Owen



Perkins	Romjue	Short	Treadway
Pittenger	Rudd	Steagall	Underwood
Rabaut	Sadowski	Taylor, S. C.	Wood
Rayburn	Sandlin	Thomas	Zioncheck
Richards	Scrugham	Tinkham	
Robison, Ky.	Secrest	Tobey	
Rogers, Okla.	Seger	Tonry	

The SPEAKER. Three hundred and forty-five Members are present, a quorum.

Mr. BANKHEAD. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Speaker, the article from the Laredo Times, to which I referred, is as follows:

In a meeting presided over by Mexican Consul Juan E. Richer, of Laredo, between 150 and 200 laborers met Friday night at Obreros Hall, where various speakers advocated organization of a labor union to be composed of both alien and naturalized Mexicans in this area.

At this meeting laboring conditions in this country were discussed, and the attitude of President Roosevelt, the immigration department, American business interests, the Laredo Times, and other persons and agencies were severely criticized.

It was decided to continue the meeting Sunday morning at 9 o'clock at Juarez Hall for the purpose of organizing the Confederacion de Obreros Mexico-American y Mexicanos.

The meeting scored the way alien Mexicans are being treated in the United States, particularly in regard to relief.

Consul Richer, as chairman of the meeting, said:

"My object in being here tonight is to unionize all the laboring elements. The Mexican Government is controlling the labor situation very well at the present time. There is no reason why there should be any labor problems here. The laboring class must act and resolve their social conquests.

"I believe you can borrow the columns of Laredo Times in trying to form this association which you plan to organize, for it is very advantageous to all of you. The Laredo Times is always willing to help plans of this nature. It is a newspaper that has always been a friend to the Mexican people and has truthfully presented conditions in Mexico as they have occurred.

"The union is very important, because it is a better way to apply your rights, to better conditions, raise salaries, and there will be more understanding between the people. The doors of the Mexican consulate are always open to you whenever you need assistance."

Joe Jacobs, Laredo photographer, speaker, praised President Cardenas, of Mexico, saying "The only government that is for the laboring class is that of the present regime in Mexico, that of Gen. Lazaro Cardenas."

Jacobs then turned to score the United States Government by continuing: "People have claimed that the President is a great man, but, in truth, he has not done one-tenth of what could be done for the laboring class. He came out with his N. R. A., and the only ones who were benefited were the rich people. There is no need why the Mexican laboring class should be afraid of being deported to Mexico, because the Government has no right to deport them."

Jacobs then paid his respects to the immigration officials of the United States: "Whenever one of these so-called immigration officers, or other officer, call you in the street and tell you that you are wanted in his office you have a right to demand a warrant of arrest. Many people are arrested without warrants, and that is not right. We should organize for the purpose of sending a committee of about 20 or 30 or more to the immigration official that has arrested one of our own. He may get scared, and this committee can report him to Washington, and for that reason he may turn our comrade loose."

Jacobs then scored the Laredo Times as being not in sympathy with the laboring classes and for failure to put labor's side of the question in its news columns. "Take the recent building strike in New York for example. The Times had only short accounts under small headlines", he declared.

MARTINEZ NEXT

Another speaker was Emilio Martinez who admitted he is an alien. He praised Consul Richer for being present and said "up to this time the Mexican consulate has been useless in Laredo."

The speaker then spoke of relief matters in which aliens of Mexico in this country were affected. "Take for example the relief office. Most of the time we are denied relief on the ground that we are Mexican citizens and for that reason they tell us we have no rights at all. We cannot go on living on the present minimum wage standard they have imposed upon us now. We have to do something and that is to organize a union.

"There is only one government in the whole world that is protecting the rights of the laboring class and that is

the Government of Gen. Lazaro Cardenas of Mexico", Martinez said.

A man by the name of Cruz made a short speech and said the union strike last year had failed but urged the people to make a second strike and more until their demands were fulfilled.

The other speaker was Maximino Jaurez who told of how a similar organization had been organized in San Antonio as proposed here. This was for all Mexicans, alien and naturalized, to band together to get better wages in this country and to otherwise relieve what he termed were unbearable economic and social conditions.

Mr. MAVERICK. And it was the Mexican Consul who said that?

Mr. DIES. A Mexican Consul presided over this meeting. I am reliably informed that this Consul stated to the meeting that he was acting upon instructions received by him from his Government. I have received letters from American citizens there inquiring why it is possible for a Mexican Consul to be in the United States organizing Mexican aliens and Mexican citizens, to make it possible for them to affiliate with the Mexican labor unions. The following letter is very apropos, coming from a citizen from Laredo, whose name I will not divulge for obvious reasons:

DEAR CONGRESSMAN DIES: I am writing to call your attention to some incidents that are being promulgated by aliens in this land of ours. I also will state that all red-blooded Americans, citizens of this part of the State, are in full accord with your immigration bill, and you may rest assured of receiving their loyal support.

May I ask by what right has the Mexican consul (as per Laredo Times I mailed you) here to organize the Mexican alien labor, and that along communistic lines. He says it is "to fight for their rights." Do we not have rights as American citizens? Should not ours be first so considered? Who pays the bill?

Enclosed you will also find some very fine clippings by Lieutenant Colonel Waugh, who gives something worth while. With this and the other in consideration, may I suggest as a further aid to us working people (if such can be done) that all immigration be suspended as well as naturalization to those with more than 2 to 5 years' residence in our country who have made no effort to obtain their papers of citizenship. If this can be done, it will prevent millions of undesirables from taking out papers in order to escape deportation.

Why cannot a law be enacted similar to the labor laws of Mexico whereby they favor their own nationals? Why cannot we have a law giving 90 percent of all labor to our citizens? More than 60 percent of the population in Laredo are Mexican aliens, and they always get preference by many of the employers, for they work them cheaper. Also, these employers stand for seasonal immigration, because they pay from one-half to one-third less, yet it takes bread out of the mouth of the Mexican-American and the American citizen because they cannot work for the price.

We have several hundred aliens who commute daily from Nuevo Laredo and work in our stores. The aliens on this side are on the relief and tell us we have to take care of them. (According to Mr. Russell's article in a recent Saturday Evening Post, 70 percent of our relief are aliens.) Let me see you get anything across the Rio Grande. We have them on jobs from which they are prohibited, but little attention is paid when this is shown the authorities in charge here. Anything you can do will be appreciated.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. DIES. Yes.

Mr. BLANTON. We have been in session continuously now since January 3. March is almost gone. Why is it the gentleman's bill cannot get action in the Committee on Immigration and Naturalization?

Mr. DIES. Evidently because the committee is not favorable to the bill. That is the reason I put the bill on the Clerk's desk, asking the membership to sign it so that we can get consideration. Another reason is because the House has passed two of my immigration and deportation bills which died in the Senate. Many Members feel like it is futile to continue to pass these bills when they are sidetracked in the other body.

Mr. BLANTON. And that is the only way you ever will get consideration of it here in the House. That requires 218 Members to sign the gentleman's petition, and I hope that they will sign the petition to help us get it out of the committee.

Mr. STUBBS. Mr. Speaker, will the gentleman yield?

Mr. DIES. Yes.



Mr. STUBBS. I have introduced an alien employment bill that will do the very thing that the man who wrote that letter asks. I have also introduced a bill to amend the Immigration Act of 1920, which will do the work that we are after.

Mr. BLANTON. But we are not going to get any bill out of that committee unless the Members of the House take it up in the way of a petition.

Mr. DIES. I call the attention of the House to these further facts, which appear in the Washington Herald of Sunday, February 9, 1936:

Representative Kent H. Redwine, of California, declares that the cost to Los Angeles County alone of unemployed and unemployable aliens is \$6,000,000 a year, and he adds that "3,000 Mexicans are being kept on charity rolls only 5 miles north of the border of their own country."

The magazine Today found 3,000 Mexicans on relief in Imperial Valley alone. In Kern County, Calif., there are twice as many Mexicans as all other nationalities, and almost all aliens. In 1933, the California Joint Immigration Commission found 1,000,000 Mexicans living in that State.

It has cost the Government \$400,000 to support 2,500 Mexicans in Ray, the Miami-Globe district, and Superior, Ariz., since mines there closed permanently in 1932. They could have been deported for \$5 a head, or \$12,500.

During the depression of 1921, the Harding administration sent 6,000 Mexicans home from this district, and 40,000 from Arizona as a whole. Now with conditions 10 times as bad, the Government taxes the people of the State to carry this unwanted alien burden.

Half of all relief in Arizona goes to Mexicans. In Laredo, Tex., three-quarters of those on relief were Mexicans.

Mexico has a population of 16,000,000. More than 2,000,000 Mexicans get their living in dollars, in jobs or on relief. No wonder President Cardenas could boast, "No hay depression en Mexico!"

Mr. Speaker, I think the State Department ought to call upon the Mexican Government for an explanation of the fact that a consul of the Mexican Government is in the State of Texas organizing Mexicans, both citizens and aliens, along communistic lines. I want to inquire by what right the Mexican Government comes into the State of Texas or into the State of California or any other State to organize Mexican citizens or Mexican aliens at meetings where speakers criticize the Government of the United States and the manner in which we are administering relief? It is said that aliens are not properly being cared for. There are 1,500,000 aliens on public and private relief in the United States. When they talk about the American Government not being fair to aliens, they fail to take into account that the other countries of the world refuse to permit any of our citizens to be on their relief rolls, and under the laws that exist in these countries American citizens now are not permitted to work anywhere within their borders until the employer who proposes to employ American citizens can prove that he has more jobs than he has native citizens to fill them. That is the law of France, of Germany, of England, of practically every country. The Mexican Government requires 90 percent of all labor on a given job to be native Mexican citizens, and yet that same government, with its communistic leanings, has the audacity to come to the United States and undertake to put into effect the communistic and subversive doctrines and principles they are establishing in the Mexican Republic. [Applause.]

It does seem to me, while I am not in favor of interfering with the internal affairs of Mexico, this is a case where the Mexican representative is taking advantage of our hospitality. President Cardenas, who has been praised so much recently, said, "We have no unemployment problem in Mexico." It is no wonder. We have 2,500,000 Mexican aliens and citizens in the Southwest who are earning their livelihood from jobs that Americans should fill and would fill if we had the same laws they have.

The SPEAKER. The time of the gentleman from Texas [Mr. Dies] has expired.

#### FLOOD CONTROL

Mr. WALLGREN. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. WALLGREN. Mr. Speaker, the past week with its devastating floods should awaken Congress to the need of Federal action immediately not only to minimize the losses that might be sustained in the future through a recurrence of a major flood catastrophe but to reduce flood losses that occur regularly in every section of the United States.

It would be foolish to say that all of the loss that has been sustained through floods of the past week could have been prevented. However, there is no question in my mind that had we embarked on a flood-control program a few years ago, the resulting damages would have been minimized to a considerable extent.

The House of Representatives, during the closing hours of the last session, passed a flood-control bill covering projects in every section of the United States. Sponsors of these projects, who are sincere in their desires, were forced to listen to arguments branding the bill as a "pork barrel" measure. Members of Congress from districts affected by floods know the seriousness of the problem, and naturally resent the implications that they are sponsoring projects without merit.

During the debate on this measure it was noticed that provisions were made for the control of floods on streams that had never been brought to the attention of Congress. These same streams today are swollen and breaking their banks to cause great property damage along with the subsequent soil erosion which takes place as the waters subside.

Heretofore the War Department has only considered flood control when incidental to navigation improvement. The Mississippi River and some others have received attention on their flood problems. Now, however, what we need is a comprehensive program which will regulate the floodwaters in many localities.

When cities the size of Pittsburgh are pitched into darkness, when transportation and industry are paralyzed, when lives are lost, when damages run beyond possibility of estimate, when we see disease and pestilence follow in the wake of flood—then, and not till then, do we think of precautionary measures. This Congress must adopt a comprehensive flood-control policy for the protection of lives and property and national resources. No project should be ignored where steps can be taken to prevent such loss.

The President, in his acceptance speech at Chicago, and many times since, has shown his recognition of this problem. Congress, however, has taken a "let George do it" attitude. We have spent billions on projects that cannot measure up in constructive merit with such a program. We have manicured highways, raked leaves, and done other similar work to relieve the distress of the unemployed. Why not spend this money in a more constructive manner? The unemployed are here, the need is here to protect life and property.

The House has done its part in passing last year the \$300,000,000 flood-control bill after careful consideration of each project by the Flood Control Committee, of which I am a member. This bill is now before the Senate for consideration.

There has been some question in this past as to whether or not full responsibility for the control of these rivers should be placed upon the Federal Government. The present policy of giving Federal aid to relieve unemployment takes care of that question.

We find today that the War Department through the Corps of Engineers has made 74 miscellaneous flood-control investigations in all parts of the country. On the other hand, we find that only five flood-control projects have been adopted by Congress and that two of these are in Alaska.

This appears to be rather a futile attack on our flood-control program. It seems apparent that some 74 rivers are in need of flood control. How are we going to meet this obviously presented question?

It is my belief that we should work out a plan where the Federal Government would match money in a cooperative effort with the individual States. A plan similar to the one now in effect with our road-building program.

This may be the final solution. However, I wish to call the attention of the House to the fact that we have passed

a bill that now awaits Senate action. Its passage would go a long way toward flood control as well as unemployment relief. [Applause.]

Mr. BLANTON (interrupting the remarks of Mr. WALLGREN). Mr. Speaker, this flood-control question is so important that I think the absent Members ought to know about it; hence I make a point of no quorum.

The SPEAKER. The Chair will count. [After counting.] One hundred and seventy-one Members are present, not a quorum.

Mr. BANKHEAD. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 44]

Adair	Dorsey	Kennedy, Md.	Romjue
Allen	Duffey, Ohio	Kocialkowski	Rudd
Amble	Eaton	Kvale	Sanders, La
Berlin	Eckert	Lambeth	Sandlin
Bolton	Evans	Lehibach	Sears
Brennan	Farley	Lewis, Md.	Secrest
Brooks	Fenerty	McGroarty	Seger
Buckbee	Fish	McLeod	Short
Buckley, N. Y.	Fulmer	McMillan	Sisson
Bulwinkle	Gambrell	McSwain	Smith, Conn.
Cannon, Wis.	Gasque	Marcantonio	Stack
Casey	Gingery	Mason	Steagall
Cavichia	Goldsborough	May	Stewart
Claiborne	Gray, Ind.	Merritt, Conn.	Taylor, S. C.
Clark, Idaho	Gray, Pa.	Montague	Thomas
Clark, N. C.	Greenway	Moran	Tinkham
Cochran	Hancock, N. C.	Moritz	Tobey
Collins	Hartley	Oliver	Tonry
Cross, Tex.	Higgins, Conn.	Pearson	Treadway
Culkin	Hill, Samuel B.	Perkins	Underwood
Daly	Hobbs	Pettengill	Wolcott
Darrow	Hoepfel	Risk	Wood
Dear	Kee	Robison, Ky.	Zioncheck
DeRouen	Keller	Rogers, Okla.	

The SPEAKER. Three hundred and thirty-five Members are present, a quorum.

Mr. BANKHEAD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

#### COMMITTEE ON THE JUDICIARY

Mr. HEALEY. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have permission to sit during the sessions of the House this week.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### ARMY AIR CORPS AND FLOOD CONTROL

Mr. ROGERS of New Hampshire. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. ROGERS of New Hampshire. Mr. Speaker, I have just prepared and expect to submit to the House today a unanimous report of the Committee on Military Affairs on the bill H. R. 11140, to provide more effectively for the national defense by further increasing the effectiveness and efficiency of the Air Corps of the Army of the United States. I ask the Members of this House, Mr. Speaker, to thoroughly examine that report and see the situation that the Army Air Corps is in today. I also ask you to consider something that you will not find in that report, but as you look at the newspaper this morning, on the front page of the Washington Post you will see a picture of a fine young man, a captain in the Army of the United States—Capt. Samuel P. Mills, of the Army Air Corps. On last Friday he started for New Hampshire with my colleague from New Hampshire [Mr. TOBEY], who is now serving his second term as a member of the Flood Control Committee. Captain Mills took the gentleman from New Hampshire [Mr. TOBEY] to Boston, and on his return yesterday his machine went wrong, he crashed, and was killed. He was only 42 years of age, and he leaves a widow with two children, 10 and 7 years of age.

On the 1st day of this month I went to New Hampshire in an Army plane. It took several hours to get that machine in condition to take off at Bolling Field. This ship in which

Captain Mills crashed and was killed I find, after inquiry, to have been an O-38-B observation Douglas plane—a 1931 airplane. Army experts say that when planes get to be 5 years of age they are no good for military purposes; yet today, with only approximately 20 to 25 planes in the Army Air Corps at Bolling Field, we have from 90 to 100 pilots operating those planes. How under heaven, with the best mechanical force in the world, could those machines be kept in proper condition when there are 100 pilots operating a score of planes?

I ask you to have these things in mind when you consider that bill which I am now reporting unanimously from the Committee on Military Affairs.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of New Hampshire. Very briefly.

Mr. RANDOLPH. Is it not a fact also that the chairman of the Committee on Military Affairs of this House, with several members of that committee, on their recent trip to the funeral of the late General Mitchell, former Chief of the Army Air Corps, were forced down at Winchester, Va., on account of poor equipment?

Mr. ROGERS of New Hampshire. I understand that to be the fact. The Assistant Secretary of War, the Honorable Harry H. Woodring, told a subcommittee of the House Committee on Appropriations on January 16 that under our present policy of appropriations the Army Air Corps will have approximately 777 planes in its possession on July 1 of this year.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of New Hampshire. I yield briefly.

Mr. TABER. Is the fault on account of some failure to act on the part of Congress, or is it the fault of the executive personnel of the War Department?

Mr. ROGERS of New Hampshire. It was once very largely the fault of the executive personnel of the War Department, but I say to my distinguished friend that we in the Military Affairs Committee believe that we have corrected that fault, and that today the trouble lies in the fact that there are so many in the Air Corps personnel without sufficient machines for them to use, because we do not give them the money with which to get the machines.

Mr. TABER. Why?

Mr. ROGERS of New Hampshire. Because the Congress has long failed to appropriate sufficient funds with which to get the machines.

Mr. TABER. Why, if my colleague will yield further, if the executive end is what it should be, should they allow planes to go out that are not in proper condition?

Mr. ROGERS of New Hampshire. Because planes 5 years old are supposed to be fit to run, but not for military purposes; and as I say we see in a condition like this, with planes 4 or 5 years old, a demonstration that they are not only unfit for military purpose but are not fit to be used at all with reasonable assurance of safety. The sooner we give them money to get new planes which can be safely used the sooner we will begin saving the lives of American citizens.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. ROGERS of New Hampshire. I yield for a brief question.

Mr. BLANTON. From Hawaii last September my committee sent a telegram to the Public Works Administration calling attention to the fact that the terrain at Luke Field was so rough to all Army planes landing there that it was costing us \$120,000 a year in damage to planes alone, not considering human life. We asked the Administrator to allot money there to put proper all-weather aprons down, and stop this great damage and menace to human life, but not a single dollar did he allot. Instead he spent it here for tin-can starling-scaring operations in Washington.

Mr. ROGERS of New Hampshire. Mr. Speaker, I refuse to yield further. I have just started on this proposition. I will discuss it more fully on the bill, which I am about to report, and for which we ask your support to provide sufficient new planes for the Army Air Corps.

There were two matters which I desired to present to you this morning briefly; one is the problem of national



defense, as reflected in the Army Air Corps, and the other is national flood control. This plane in which Captain Mills was killed was sent north—and I think perhaps under the circumstances of the desire of my colleague from New Hampshire to get home, they perhaps would send out a plane that under some circumstances would not have been permitted to leave the ground; but even so, this poor pilot is dead.

Coming now to flood control, what happened not only throughout New England, but in many other States of the Nation? We find millions of dollars of wreckage in the city of Manchester and State of New Hampshire. The largest textile plant in the country is wrecked and washed out, bridges are gone, mills are gone, houses, stores, and schools are gone because of the ravages of the Merrimack River throughout the State of New Hampshire.

Over a year ago, on February 27, 1935, I introduced a bill in this House known as H. R. 6233 to provide for flood control of the Merrimack River. My law office is on the shore of the Merrimack. I know the conditions of this river; and when my attention was called to the report made to the Secretary of War, Patrick J. Hurley, back in 1930, by the Office of the Chief of Engineers of the Army, I knew then how much chance I stood to get any favorable action on that bill. Let me show you, Mr. Speaker, how things are done in situations of this kind. Here is the Merrimack going over its banks through New England, destroying millions of dollars' worth of property with homes, mills, bridges, and highways complete washouts; yet in 1927 we had a flood there and an inspection was made by the Office of the Chief of Army Engineers in 1927, and report submitted in 1930, known as House Document No. 308 of the Sixty-ninth Congress. What is said of the Merrimack River? I will read extracts from it to you:

The Merrimack River has its source in central New Hampshire, flows south into Massachusetts, and thence east through the northeastern corner of that State, and enters the Atlantic Ocean at Newburyport, Mass.

Floods of a damaging nature are rare, the river overflowing its banks only about once in 20 years. The unusual flood of 1927 was the most destructive of record, the damages being estimated at \$2,365,000.

Bearing in mind the millions of dollars of damage done there at this time I call your attention to the following:

The Merrimack River, the fourth largest stream in New England, begins at Franklin, N. H., and is formed by the junction of the Pemigewasset and Winnepesaukee Rivers. The former rises in the White Mountains, where the headwaters elevation is about 2,000 feet, and the latter is the outlet of the Winnepesaukee Lake system. From Franklin the Merrimack flows south through New Hampshire for about 65 miles to the northern boundary of Massachusetts, where it turns abruptly to the east and flows parallel to this boundary and a few miles distant from it until it reaches tide-water about 2 miles above Haverhill.

Now I come to the important part of this document which we are asked to consider. I ask you to give it your conscientious and careful attention:

The disastrous flood of November 1927, due to the mutual interference of two storms, seems to have been without parallel in the records of western New England as regards rapid precipitation.

[Here the gavel fell.]

Mr. ROGERS of New Hampshire. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. ROGERS of New Hampshire. I continue reading from this report, and ask your careful attention to the following:

The investigation has gone far enough to indicate that on a basis of the limited data available a similar rainfall may not happen on an average oftener than once in 500 years, and under certain assumptions not oftener than once in 1,000 years.

This is the type of report we got from the Army engineers after their examination of the river. We who live near it know it overflows and that such a statement cannot be based on accurate information; and the proof of it is what we see in the papers this morning and what we saw in the papers last week.

The Chief of Engineers of the Army further said:

The probabilities for an extreme flood throughout the whole valley appear, therefore, to be remote.

May I say that, knowing the conditions elsewhere and appreciating the language employed in this report, I asked the Chief of Engineers to have another survey and another report made and received a promise from him that such a survey and report would be made. In the face of conditions now existing in New Hampshire and New England, Mr. Speaker, I do not fear what that report will be. May I ask that we work together for a system here that will provide for examination of all these flood areas and that the Federal Government cooperate with the States in order to prevent such future damage?

[Here the gavel fell.]

Mr. ROGERS of New Hampshire. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and to include certain parts of a small article which appeared in the New York Times of Sunday, March 22, by Senator ROBERT F. WAGNER, with reference to this flood-control situation.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

The matter referred to is as follows:

By ROBERT F. WAGNER, Senator from New York

WASHINGTON, March 21.—The floods now devastating the country lend a costly and tragic emphasis to the need for Federal flood control. While our first thought naturally is to relieve the suffering and distress of the emergency, there must be no delay in effecting a coordinated system of flood control for the Nation.

Floods pay no attention to jurisdiction. They are no respecters of States' rights. Nor do they consider the capacity to pay of the man whose house or factory they invade.

This problem of flood control has the compelling insistence of emergency. Not because of the present disaster—that horse is stolen from the barn—but because, until adequate control works are constructed, these many areas are danger zones and a large number of our people are in jeopardy.

The agency to meet an emergency, where there is any question of responsibility, should be selected on the basis of efficiency. Where the physical problem transcends the boundaries of local governments or States the Federal Government stands as the logical agent.

In flood control the interstate course of the water combines with the interstate scope of the damage done, through the halting of public services and the interruption of traffic and communication, to invoke Federal action. This is strikingly illustrated today in the Pittsburgh tie-up.

#### HELD A PUBLIC-WELFARE NEED

Because of the multiple uses of water, for power, for transportation, for industry, for sanitation, and consumption, and because of the complex and far-reaching results when its control is neglected, the public welfare demands that this problem be promptly and comprehensively met.

In practice and by the terms of the Constitution, the Federal Government is accountable for the general welfare. It is also true that Federal action in this matter requires full cooperation on the part of the States and local governments.

New forms of regional agencies are being tried to achieve this coordination—the New England Council, the Ohio River Board of Health, the Port of New York Authority. Flood-control problems vary with the physical, social, and economic characters of the regions affected, and methods of achieving Federal, State, and interstate cooperation may be suited to the special problems involved. The principle remains, however, that the Federal Government should act.

Now is the acceptable time. Much has already been done in engineers' surveys, in planning, and in P. W. A., where, as of January 1, 1936, \$12,176,533 has been granted to projects aimed at flood control. The Mississippi River and its tributaries have long been the object of Federal flood-control efforts.

Planned national conservation is the stitch in time. Money spent now on public works, even if the Government must borrow and pay interest thereon, will earn for the citizens of the country freedom from these sudden and devastating losses. In a few tragic days many times the cost of control works can be washed from the taxpayers' pockets and swept downstream.

#### RELIEF ANGLE CALLED TIMELY

Conservation is making steady progress as our approved public policy. Now its extension to water in the form of flood control should be given the attention of the American people, who already heartily endorse the forest and wildlife conservation activities of the Government.

Flood control is not relief, not a temporary means of providing employment, not the rebuilding of destroyed public works. It is the construction and maintenance of certain works, dams, levees, channel improvements, and reservoirs, according to plans which consider the ultimate maximum development of the affected areas,



their waters, and their lands, for the benefit of their people, present and future.

Indirectly, of course, such works do provide employment and consume materials, which is not to be overlooked in these times. These works will provide relief, relief from the danger of repetition of the present disaster.

But it cannot be too plainly stated that the Federal program of flood control which I am urging is no temporary expedient, no stopgap, but a most proper action of the Federal Government in meeting its responsibilities to the American people. With the experience of the past, the sad emphasis of the present catastrophe, and the avowed interest of the administration in public works, surely now is the time to adopt a comprehensive program of flood control for the Nation.

#### WHY THE 10-PERCENT-PROFITS LIMITATION AMENDMENT SHOULD REMAIN IN THE WAR DEPARTMENT APPROPRIATION BILL

Mr. McFARLANE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point and to include some statistics and data with regard to aircraft construction and our system of procurement at the present time.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. McFARLANE. Mr. Speaker, the Members of the House, I am sure, have listened with much interest to the remarks of the gentleman from New Hampshire [Mr. ROGERS] and his description of the unfortunate accident that occurred yesterday in the crash of Capt. Samuel P. Mills on his return from Boston to Washington in an Army plane.

We should not, however, become confused by these continuous crashes of Army planes. We remember these crashes occurred regularly when the Army made a feeble effort to carry the air mail, and unfortunately they have continued since then. We should look carefully to the cause of these crashes and then remedy the cause if we are to be able to stop so many unfortunate accidents. The cause of these crashes is due largely to faulty equipment and faulty procurement methods in securing this equipment.

#### TEN-PERCENT-PROFITS LIMITATION AMENDMENT

The Senate today has just voted to take out of the House War Department appropriation bill, H. R. 11035, the 10-percent-profits limitation amendment unanimously inserted in this bill on the floor of the House on February 14 while this bill was being considered in the House. The principle reason urged for the elimination of this amendment is that we already have keen competition in our procurement methods of aircraft and that further limitation of profits would jeopardize our aircraft-procurement method. The best answer to these statements is to look at the record and see what it shows.

#### NINETY-TWO PERCENT OF AIRCRAFT PURCHASED WITHOUT COMPETITION

According to the contracts on file in the Comptroller's office, of both Army and Navy for all aircraft and accessories purchased from 1926 to 1934, the Comptroller's records show that 92 percent of these contracts on file in his office were let without competitive bids. The Army covering this period purchased \$57,346,098, of which \$3,336,664 was purchased with competitive bidding, or 92 percent purchased without competitive bidding. The Navy purchased \$53,026,614, of which \$5,901,051 was purchased through competitive bidding, or 91.3 percent of the Navy's aircraft equipment was purchased without competitive bidding.

The decisions by the Judge Advocate General's Departments of both Army and the Navy since the Aircraft Act of 1926 became effective to date have continuously held that section 10K of this act, through which most of the violations occur, requires competition in procurement, yet the procurement division has almost continuously disregarded the aircraft law on procurement. From July 1926 through December 1933 the Army bought 4,245 engines and 1,857 planes. According to the Comptroller's office, only two of these engines were purchased through proper competitive methods. Covering the same period, the Navy bought 3,158 engines, 103 through competition, and 1,076 airplanes; of this 4,245 engines purchased by the Army 2,492 were bought from the Pratt & Whitney Co., 1,740 from Wright Aeronautical, and only 13 engines from all other engine manufacturers in the United States. The Navy purchased 2,149 engines from

Pratt & Whitney Co., 973 from Wright Aeronautical, and 36 from all others. In all fairness to both the Army and the Navy, since our investigations and reports were made it may be said that since December 1933 both Departments have purchased a few engines from others than the two principal engine-manufacturing concerns of the United States as above shown.

#### THE PROCUREMENT LAW

So that you may understand the procurement methods involved, and how the War Department is violating same let me quote the law, then the testimony of the Department officials, and then the decisions of the Comptroller's Department showing violation of the law.

The Aircraft Act of 1926, which has been repeatedly violated since its enactment on procurement, reads as follows:

SEC. 10. (a) That in order to encourage the development of aviation and improve the efficiency of the Army and Navy aeronautical matériel the Secretary of War, or the Secretary of the Navy, prior to the procurement of new designs of aircraft, or aircraft parts, or aeronautical accessories, shall, by advertisement for a period of 30 days in at least three of the leading aeronautical journals and in such other manner as he may deem advisable, invite the submission in competition, by sealed communications, of such designs of aircraft, aircraft parts, and aeronautical accessories, together with a statement of the price for which such designs in whole or in part will be sold to the Government.

(b) The aforesaid advertisement shall specify a sufficient time, not less than 60 days from the expiration of the advertising period, within which all such communications containing designs and prices therefor must be submitted, and all such communications received shall be carefully kept sealed in the War Department or the Navy Department, as the case may be, until the expiration of said specified time, and no designs mailed after that time shall be received or considered. Said advertisement shall state in general terms the kind of aircraft, parts, or accessories to be developed and the approximate number or quantity required, and the Department concerned shall furnish to each applicant identical specific detailed information as to the conditions and requirements of the competition and as to the various features and characteristics to be developed, listing specifically the respective measures of merit, expressed in rates per centum, that shall be applied in determining the merits of the designs, and said measures of merit shall be adhered to throughout such competition. All designs received up to the time specified for submitting them shall then be referred to a board appointed for that purpose by the Secretary of the Department concerned and shall be appraised by it as soon as practicable and report made to the Secretary as to the winner or winners of such competition. When said Secretary shall have approved the report of said board, he shall then fix a time and place for a public announcement of the results and notify each competitor thereof; but if said report shall be disapproved by said Secretary, the papers shall be returned to the board for revision or the competition be decided by the Secretary, in his discretion, and in any case the decision of the Secretary shall be final and conclusive. Such announcement shall include the percentages awarded to each of the several features or characteristics of the designs submitted by each competitor and the prices named by the competitors for their designs and the several features thereof if separable.

(c) Thereupon the said Secretary is authorized to contract with the winner or winners in such competition on such terms and conditions as he may deem most advantageous to the Government for furnishing or constructing all of each of the items, or all of any one or more of the several items of the aircraft, or parts, or accessories indicated in the advertisement, as the said Secretary shall find that in his judgment a winner is, or can within a reasonable time become, able and equipped to furnish or construct satisfactorily all or part, provided said Secretary and the winner shall be able to agree on a reasonable price. If the Secretary shall decide that a winner cannot reasonably carry out and perform a contract for all or part of such aircraft, parts, or accessories, as above provided, then he is authorized to purchase the winning designs or any separable parts thereof if a fair and reasonable price can be agreed on with the winner, but not in excess of the price submitted with the designs.

(d) After contract is made, as authorized by any provision of this section, with a winner in such design competition for furnishing or constructing aircraft, aircraft parts, or aeronautical accessories in accordance with his designs and payment is completed under said contract, and after the purchase of and payment for the designs or separable parts thereof of a winner, as authorized herein, with whom a contract shall not have been made for furnishing or constructing aircraft, aircraft parts or aeronautical accessories in accordance with his designs, then in either case any department of the Government shall have the right without further compensation to the winner to construct or have constructed according to said designs and use any number of aircraft or parts or accessories, and sell said aircraft or parts or accessories according to law as condemned material: *Provided*, That such winner shall, nevertheless, be at liberty to apply for a patent on any features originated by him, and shall be entitled to enjoy the exclusive rights under such patent as he may obtain as against all other persons except the United States Government or its assignee as aforesaid.

(e) The competitors in design competition mentioned in this section shall submit with their designs a graduated scale of prices



for which they are willing to construct any or all or each of the aircraft, aircraft parts, and aeronautical accessories for which designs are submitted, and such stated prices shall not be exceeded in the awarding of contracts contemplated by this section.

(f) If the Secretary of War or the Secretary of the Navy shall find that in his judgment none of the designs submitted in said competition is of sufficient merit to justify the procurement of aircraft, aircraft parts, or aeronautical accessories in accordance therewith, then he shall not be obligated to accept any of such designs or to make any payment on account of any of them. If the Secretary of the Department concerned shall decide that the designs submitted by two or more competitors possess equal merit or that certain features embodied in the designs of any competitor are superior to corresponding features embodied in the designs of any other competitor and such features of one design may be substituted in another design, the said Secretary shall in his discretion divide the contracts for furnishing and manufacturing the aircraft, parts, or accessories required equitably among those competitors that have submitted designs of equal merit, or he may select and combine features of superior excellence in different designs in such manner as may in his judgment best serve the Government's interests and make payment accordingly to the several competitors concerned at fair and reasonable prices, awarding the contract for furnishing or constructing the aircraft, parts, or accessories to the competitor or competitors concerned that have the highest figures of merit in said competition.

(g) In case the Secretary of War or the Secretary of the Navy shall be unable to make contract as above authorized with a winner in said completion for furnishing or constructing aircraft, aircraft parts, or aeronautical accessories covered by the whole or part of the designs of such winner, or shall be unable to agree with a winner in the competition on a reasonable purchase price for the design of such winner with whom a contract may not be made, as aforesaid, he may retain such designs and shall advertise according to law for proposals for furnishing or constructing aircraft, or parts or accessories, in accordance with such designs or combinations thereof as aforesaid and, after all proposals are submitted, make contract on such terms and conditions as he may consider the best in the Government's interests, with the bidder that he shall find to be the lowest responsible bidder for furnishing or constructing the aircraft, parts, or accessories required, but the said Secretary shall have the right to reject all bids and to advertise for other bids with such other and different specifications as he may deem proper.

(h) If within 10 days after the announcement of the results of said competition any participant in the competition shall make to the Secretary of War or the Secretary of the Navy a reasonable showing in writing that error was made in determining the merits of designs submitted whereby such claimant was unjustly deprived of an award, the matter shall at once be referred by the Secretary of the department concerned to a board of arbitration for determination and the finding of such board shall, with the approval of the said Secretary, be conclusive on both parties. Such board of arbitration shall be composed of three skilled aeronautical engineers, one selected by the said Secretary, one by the claimant, and the third by those two, no one of whom shall have been a member of the board of appraisal in that competition.

(i) Any person, firm, or corporation that shall complain that his, their, or its designs hereafter developed relating to aircraft or any components thereof are used or manufactured by or for any department of the Government without just compensation from either the Government, or any other source, may within 4 years from the date of such use file suit in the Court of Claims for the recovery of his reasonable and entire compensation for such use and manufacture after the date of this act.

(j) Only citizens of the United States, and corporations of which not less than three-fourths of the capital stock is owned by citizens of the United States, and of which the members of the boards of directors are citizens of the United States, and having manufacturing plants located within the continental limits of the United States shall be eligible to be awarded any contract under this section to furnish or construct aircraft, aircraft parts, or aeronautical accessories for the United States Government, except that a domestic corporation whose stock shall be listed on a stock exchange shall not be barred by the provisions of this section unless and until foreign ownership or control of a majority of its stock shall be known to the Secretary of War or the Secretary of the Navy, as the case may be, and no aliens employed by a contractor for furnishing or constructing aircraft, or aircraft parts, or aeronautical accessories for the United States shall be permitted to have access to the plans or specifications or the work under construction or to participate in the contract trials without the written consent beforehand of the Secretary of the Department concerned.

(k) The Secretary of War or the Secretary of the Navy may at his discretion purchase abroad or in the United States with or without competition, by contract, or otherwise, such designs, aircraft, aircraft parts, or aeronautical accessories as may be necessary in his judgment for experimental purposes in the development of aircraft or aircraft parts or aeronautical accessories of the best kind for the Army or the Navy, as the case may be, and if as a result of such procurement new and suitable designs considered to be the best kind for the Army or the Navy are developed, he may enter into contract, subject to the requirements of paragraph (j) of this section, for the procurement in quantity of such aircraft, aircraft parts, or aeronautical accessories without regard to the provisions of paragraphs (a) to (e), inclusive, hereof.

(l) The manufacturing plant, and books, of any contractor for furnishing or constructing aircraft, aircraft parts, or aeronautical accessories for the War Department or the Navy Department, or such part of any manufacturing plant as may be so engaged, shall at all times be subject to inspection and audit by any person designated by the head of any executive department of the Government.

(m) All audits and reports of inspection, made under the provisions of this section, shall be preserved by the Secretary of War or the Secretary of the Navy, as the case may be, for a period of 10 years, and shall be subject to inspection by any committee of Congress, and the said Secretaries shall annually make a detailed and itemized report to Congress of all the departments' operations under this section, the names and addresses of all competitors, and of all persons having been awarded contracts and the prices paid for aircraft purchased and the grounds and reasons for having awarded such contracts to the particular persons, firms, or corporations, and all such reports shall be printed and held subject to public distribution.

(n) Every vendor of designs to the War Department or the Navy Department under the provisions of this section, and every contractor for furnishing or constructing for the War Department or the Navy Department, or both, aircraft or aircraft parts or aeronautical accessories, shall deliver to the Secretary of War or Secretary of the Navy, or both, when required by either or both, a release in such form and containing such terms and conditions as may be prescribed by the Secretary of War, the Secretary of the Navy, or both, of claims on the part of such vendor or contractor against the United States arising out of such sale or contract, or both.

(o) All or any appropriations available for the procurement of aircraft, aircraft parts, or aeronautical accessories, for the War Department or the Navy Department shall also be available for payment of the purchase price of designs and the costs of arbitration as authorized by this section.

(p) Any collusion, understanding, or arrangement to deprive the United States Government of the benefit of full and free competition in any competition authorized by this section, or to deprive the United States Government of the benefit of a full and free audit of the books of any person, firm, or corporation engaged in carrying out any contract authorized by this section, so far as may be necessary to disclose the exact cost of executing such contract, shall be unlawful, and any person, firm, or corporation that shall, upon indictment and trial, be found guilty of violating any of the provisions of this section shall be sentenced to pay a fine of not exceeding \$20,000 or to be imprisoned not exceeding 5 years, or both, at the discretion of the court.

(q) In the procurement of aircraft constructed according to designs presented by any individual, firm, or corporation prior to the passage of this act, which designs have been reduced to practice and found to be suitable for the purpose intended, or according to such designs with minor modifications thereof, the Secretary of War or the Secretary of the Navy, when in his opinion the interests of the United States will be best served thereby, may contract with said individual, firm, or corporation at reasonable prices for such quantities of said aircraft, aircraft parts, or aeronautical accessories as he may deem necessary: *Provided*, That the action of the Secretary of War or the Secretary of the Navy in each such case shall be final and conclusive.

(r) A board to be known as the patents and design board is hereby created, the three members of which shall be an Assistant Secretary of War, an Assistant Secretary of the Navy, and an Assistant Secretary of Commerce. To this board any individual, firm, or corporation may submit a design for aircraft, aircraft parts, or aeronautical accessories, and, whether patented or unpatentable, the said board, upon the recommendation of the National Advisory Committee for Aeronautics, shall determine whether the use of such designs by the Government is desirable or necessary, and evaluate the designs so submitted and fix the worth to the United States of said design, not to exceed \$75,000. The said designer, individual, firm, or corporation may then be offered the sum fixed by the board for the ownership or a non-exclusive right of the United States to the use of the design in aircraft, aircraft parts, or aeronautical accessories, and upon the acceptance thereof shall execute complete assignment or nonexclusive license to the United States: *Provided*, That no sum in excess of \$75,000 shall be paid for any one design.

(s) The terms "winner" or "winners" as used in this section shall be construed to include not more than three competitors having the highest figures of merit in any one competition.

(t) Hereafter whenever the Secretary of War or the Secretary of the Navy shall enter into a contract for or on behalf of the United States for aircraft, aircraft parts, or aeronautical accessories, said Secretary is hereby authorized to award such contract to the bidder that said Secretary shall find to be the lowest responsible bidder that can satisfactorily perform the work or the service required to the best advantage of the Government; and the decision of the Secretary of the Department concerned as to the award of such contract, the interpretation of the provisions of the contract, and the application and administration of the contract shall not be reviewable, otherwise than as may be therein provided for, by any officer or tribunal of the United States except the President and the Federal courts.

You will note from reading the above law that sections 10a to 10e accurately provide open competition in procurement of new designs of aircraft and accessories through



advertisement in aeronautical journals for a period of not less than 30 days. It provides further methods of purchase and payment by the Government for such designs through competition. Section k provides how the Government may purchase for experimental purposes such aircraft, and so forth, if necessary. This section has been one of the most controversial of the entire Aircraft Act because of the large number of purchases and large amounts of such purchases made for experimental purposes. Then, under section q, all aircraft concerns having patents on same which they can show were reduced to practice and found suitable prior to July 2, 1926, when the Aircraft Act became effective, have a governmental patent monopoly; and no one, of course, can compete with them on their products. Under section t, which usually works closely in connection to section k—after the experimental stage is supposed to have passed—the Secretary of War or Navy are allowed to purchase such aircraft or accessories in quantity lots from what they term the lowest responsible bidder, and the decisions of each Secretary for the Department is final. Time has sworn that section t has been the most important section of the Aircraft Act insofar as change and procurement methods are concerned, for it has taken out from under the Comptroller's office the right to finally pass upon the legality of all such contracts and has turned over to the Secretary of War and the Secretary of the Navy the final right to say whether or not the provisions of the contract have been complied with.

The fears of the gentleman from Tennessee [Mr. BYRNS], who vigorously opposed this section in 1926 when the bill was enacted, have been proved well founded, for these two Departments, as shown from the records above quoted, have had very little regard for careful competition in aircraft procurement.

#### GENERAL CRAIG AND ASSISTANT SECRETARY WOODRING TESTIFY

In the hearings before the Senate Appropriations Committee on March 3, 1936, in testifying against the 10-percent profits limitations this colloquy occurred:

Senator COPELAND. Have you any objection to the provision as carried in the Navy bill, the same language that is in the Navy bill; is the same language that is in the Navy bill satisfactory to you here, or would that be satisfactory?

General CRAIG. I personally do not think so, sir, because the Navy has a totally different problem from us; a totally different problem from us, and they at present are unable to state whether or not it is satisfactory to them. . . .

The proposed section would stifle research and development in the industry insofar as military airplanes are concerned. At present the War Department system places research and development squarely on the shoulders of the industry, where we think it belongs. . . .

It may starve the industry for the reason that if an aircraft corporation is always to be limited to an absolute maximum of profit on a contract, it has no means of recouping the losses which it inevitably takes on some contracts, particularly those of an experimental nature. This might tend to wreck the smaller firms and put all the business into the hands of a few strong ones. If the industry is crippled, the Government would have to go into business. . . .

Section 10 of the act approved July 2, 1926, provides a most careful system of procurement of aircraft. The War Department's auditors go carefully into every cost before a contract is awarded, and are in the factory during the life of the contract. The Department is zealous in its administration. To complicate it by adopting further law without mature consideration is highly dangerous to national defense. . . .

The administration of this provision will be very expensive. Our auditing force would have to be greatly increased and would require greatly increased travel and per-diem allowance. Much of economy sought might be eaten up this way.

Thus we find General Craig opposed to 10-percent excess-profits limitation because: First, it would stifle research and development; second, it would starve industry, and thus force the Government into business; third, the War Department already has auditors who carefully check every cost in every contract; and, fourth, limiting the profit to 10 percent would tremendously increase the auditing force to check such contracts. We find Mr. Woodring testified as follows:

In looking up the law some 2 years ago I found that we were not carrying out the law, the Defense Aircraft Act of 1926, in the method in which we were procuring our aircraft, and as you know—you have heard a lot about it—we changed from a negotiated contract to a competitive bidding basis, which I think conscientious opinion holds is according to law.

The second thing that I have in mind was that we would, in changing to a competitive method of procurement, that we would transfer from the Government bureau, from a Government bureau, and Government civil service, and Army men, at Wright Field, we would transfer from them the development in engineering, designing, and possibly construction of airplanes over to industry, where I think it rightfully belongs.

I am against the Government being in business, in the manufacture of any of this business, especially of airplanes. The competitive method of doing business puts the responsibility of design and progress of military aircraft in the hands of the industry. . . .

The second phase of my change was to put this procurement responsibility and the progress of military aviation upon industry.

Further, in explanation of the procurement policy installed, Mr. Woodring said:

The House Military Affairs Committee have conducted a detailed investigation into Army aircraft procurement over this same period and my office in collaboration with this committee have worked out a policy of procurement which has been in effect some 20 months and is definitely producing the desired results.

. . . Now the system is becoming effective, and this year we will have over 500 modern airplanes delivered, and they, I want to say to you, are the finest airplanes that any country has in military aviation. I believe they are 2 years in advance, in progress, of any other military arm of government.

So that now Mr. Woodring describes his procurement system built up as follows:

The bidder is required to submit with his bid a completed airplane on the line for test, as he submits his bid, and these airplanes are thoroughly tested and contracts awarded to the manufacturer who has produced the finest performing airplane, after we have evaluated all the planes in competition.

To insure the reasonableness of the cost a careful financial audit is made of the cost figures of the manufacturer, after we make an award. This policy is resulting in a constant striving on the part of the manufacturers to offer better and better performing aircraft. It places squarely on the shoulders of industry, where it logically belongs, the necessary research and development work and gives the Government the active use and benefit of all the brains of the industry.

For instance, we will send out invitations for bombers for delivery in 10 or 12 months, and probably 3 different concerns scattered well over the United States to bid on bombers. Certainly under that kind of a system the companies are going, with their engineering and designing and researching departments, are going to try and build, develop and build, and deliver on the line the finest bomber in order to win the competition and therefore get the business.

And further commenting upon his record of procurement built up, he says:

Assistant Secretary WOODRING. I think that I could elaborate more on that by saying that in this connection there have been many statements made in the past few years ago as to the relative performance ability of military aircraft produced in this country and those of foreign countries.

Unbiased reports indicate very definitely that the airplanes now being obtained for the Army Air Corps are the finest being produced anywhere in the world.

While I hope this is true, the latest information I have comparing our war-plane aircraft with other European war-plane aircraft I find our performance and position in the different classifications have not materially changed from the aircraft charts shown on pages 10034 to 10064, Seventy-third Congress, second session, comparing practically every known war-plane engine and their latest known performance in the world. These charts showed up much weaker than several other countries in all the different kinds of war planes but bombers.

When the Army or Navy desire to carry on any research or experimental work under the above-quoted law they advertise for open design competition and for such experimental work. The Congress the last 10 years has made the following appropriations for the Navy:

Fiscal year:	Amount
1926	\$1,674,277
1927	1,664,364
1928	1,640,844
1929	1,966,113
1930	1,807,034
1931	1,991,092
1932	2,107,971
1933	1,985,975
1934	2,197,558
1935	1,820,597
1936 (to Mar. 16, 1936)	1,591,827
Total	20,447,652



And, as said by the Navy Department:

The bulk of these funds is spent for experimental aircraft, from which are selected sample or prototype airplanes around which the specifications are drawn for quantity contracts for aircraft to be used for equipping operating squadrons.

#### WAR DEPARTMENT EXPERIMENTAL WORK

We find the War Department spent for experimental and development work in 1935, \$4,541,799; in 1936, \$4,865,293; and for previous years back to 1926 similar amounts. So, contrary to the above-quoted testimony, it seems that under the law ample appropriations have been made annually to carry on such experimental and development work at the expense of the Government, and such moneys have been so expended annually and industry has not been called upon to carry this experimental and development work. Under the law, section 10a to 10e, it is the duty of the Government to pay for such experimental and development work, and the appropriations show how well the Government has paid. In answer to Mr. Woodring's testimony as to the kind and character of procurement had in the Air Corps, let me quote from the report of the subcommittee of the House Military Affairs Committee in 1934 the testimony of Brigadier General Westover, now Chief of the Air Corps, who testified regarding the then system of aircraft procurement, corroborating General Foulis' testimony:

This testimony was corroborated by the evidence of Brigadier General Westover, who testified in part as follows:

"Mr. ROGERS. Was it the intention of the Air Corps at that time to purchase by competitive bidding or negotiated contract?"

"General WESTOVER. It was the intention to purchase by negotiated contract and recommendations.

"Mr. ROGERS. That being in accordance with the usual practice?"

"General WESTOVER. That being in accordance with the practice that had existed since about 1927 or 1928, when the Air Corps Act of 1926 was actually put in practice.

"Mr. ROGERS. That was in accordance with the understanding of the meaning of the Air Corps Act of 1926?"

"General WESTOVER. I have studied the Air Corps Act quite frequently, and I have never had any reservations about concluding that the negotiated contracts were entirely within the law and probably intended by that act.

"Mr. JAMES. Have you ever read any decision of the Judge Advocate General?"

"General WESTOVER. I have.

"Mr. JAMES. Do you see any that corroborate your view?"

"General WESTOVER. No, sir.

"Mr. JAMES. Do you see others that were the exact opposite of what you state?"

"General WESTOVER. I have, sir.

"Mr. JAMES. All you have seen have been the decisions of the Judge Advocate General stating that what you were doing was in violation of the law; isn't that true?"

"General WESTOVER. I believe that is right.

"Mr. JAMES. As a sworn officer of the Government, you know that the Judge Advocate General has ruled that you can't purchase planes in quantity under (k) don't you?"

"General WESTOVER. I have understood that decision; yes, sir.

"Mr. JAMES. You know that is so, don't you?"

"General WESTOVER. I don't get your point, Mr. James?

"Mr. JAMES. You know that the Judge Advocate General has rendered a decision that you cannot purchase planes in quantity under (k), don't you?"

"General WESTOVER. I know that; yes, sir."

On being further pressed as to whether or not he had approved contracts for purchases under section 10 (k), Brigadier General Westover stated that he had approved no contracts, that he had nothing to do with the approval of contracts, and that "when and if it becomes my duty to approve those I will be fully informed. I am talking about my casual knowledge at the present time."

Realizing on reflection that the testimony so given was contrary to the documentary evidence available to the committee, Brigadier General Westover, by letter dated April 9, 1934, wrote this subcommittee as follows:

"With reference to corrected testimony on page 451 to the effect that 'I have never approved any contracts for aircraft', it should be understood that at times, as Acting Chief of the Air Corps in the absence of General Foulis, it becomes my duty to recommend to The Assistant Secretary of War approval or disapproval of contracts in accordance with established procedure and the policy of the Chief of the Air Corps. . . ."

An inspection of the chart of purchases annexed to this report and marked "Exhibit A" will disclose the many instances in which Brigadier General Westover approved contracts for the procurement of aircraft and accessories and the value thereof.

It should be noted here that in the purchase of Army airplanes no performance guaranty whatsoever other than weight and balance is required from the successful vendor, a deplorable condition which would not be tolerated in private industry and which is not permitted in other branches of our National Government.

But Mr. Woodring now says within the last 20 months they have agreed to correct this. Let us see if he has done so.

#### M'CARL SAYS NO COMPETITION

On February 19, 1936, Hon. J. R. McCarl, Comptroller, wrote the Secretary of the Navy fully, in answer to his report of December 16, 1935, as to why the Douglas Aircraft Co. had been given a contract for 20 airplanes on a bid of \$49,500 when all three other bidders were much lower. In this letter the Comptroller General said:

The abstract of bids shows that the Douglas Aircraft Co., Inc., which received the award for the delivery of 20 airplanes, submitted a bid of \$49,500 each for the skeleton airplanes; the Curtiss-Wright Airplane Co. submitted a bid of \$29,500 each; the Fairchild Aircraft Corporation submitted a bid of \$29,150 each; and the Bellanca Aircraft Co. submitted a bid of \$17,424 each. That is to say, the bid of the Douglas Aircraft Co., Inc., for \$49,500 was more than \$20,000 each in excess of the bids submitted by the Fairchild Aircraft Corporation and by the Curtiss-Wright Airplane Co. for delivery of airplanes within the specifications as advertised. You report that the bid of the Bellanca Aircraft Co. was not considered because of failure to supply an airplane for tests.

There was no competition with respect to price, and as hereinbefore stated there was a difference of approximately \$20,000 per plane, or \$400,000 for the 20 planes contracted for (about 94 percent), between the offering by the Douglas Aircraft Co., Inc., which was accepted, and that by the Fairchild Aircraft Corporation, yet the offering of the latter far exceeded the minimum requirements of the specifications.

The plan having provided no method of translating difference in "figures of merit" into terms of money, it would have been possible thereunder for the Douglas Aircraft Co., Inc., or other bidder, whose offering exceeded only to the extent of a few "points" the offerings by competitors, to have obtained an award even though its bid exceeded even in greater amount the bids of competitors than the approximately 94 percent actually appearing here.

There can be no proper evaluation of offerings, except perchance in certain design competitions, where price is totally disregarded and comparison is solely on the basis of design, construction, and performance. Obviously uses of public moneys appropriated for defense would not be justified in paying an amount possibly three or four times actual value, and much in excess of a bid offering an airplane far exceeding the minimum requirements, just because the offering of the high bid outscored the offering of the lower bidder by a few points—and this perchance, with respect to elements not necessarily of the exact value or importance accorded in the evaluation table.

In the instant matter while it was stated in the request for bids that award would be made under subparagraph (t) of section 10 of the act of July 2, 1926, which subparagraph is applicable to awards for quantity production of particular designs theretofore determined pursuant to law to be best for the needs of the United States, the plan specified for determining the offering to receive the award clearly discloses that no particular design had been so determined to be best for the needs of the United States in that such competition as there was in the matter went only to such elements as design, construction, and performance—competition as to price was wholly lacking.

As has several times been stated by this office in decisions to both the Secretary of War and the Secretary of the Navy, with respect to uses of appropriations under the act of July 2, 1926 (44 Stat. 788), the law contemplates that there be design competition for the purpose of determining the airplanes best suited for the needs of the United States, and that after it has been so determined what designs of airplanes are best suited for the needs of the United States there shall be advertising, on the basis of such designs, for quantity production, with award under subparagraph (t) of section 10 of said act. While the War Department has contended for other procedures and has operated in such manner as to make it difficult for the accounting officers of the Government to give reasonable effect to the law as so interpreted by decisions as to the legal availability of the appropriations involved, and yet avoid drawing the lines too sharply on administrative effort, and there have been numerous and extended investigations and hearings by committees of the Congress, yet the law as so interpreted has remained unchanged and the instant transaction was had in the light thereof. In such circumstances the accounting officers may not properly, and without limit, continue to overcome the effects of faulty administration by setting up safeguards around particular transactions, apparently sufficient in the circumstances to protect the Treasury. Then, too, bidders have interests that are for respecting.

The procedure was not as authorized by the act of July 2, 1926, supra, for quantity production and so as to obligate the appropriation proposed to be utilized accordingly, and while it has characteristics of a design competition, as provided for by said act, such a competition does not contemplate purchase of 20 airplanes, as was contracted for, but rather 1 or possibly 2—with advertising for quantity production after there has thus been determined the particular airplane best suited to the needs of the United States.

In view of all the circumstances appearing, however, including the appearance of some improvement in administrative methods, it may be stated that if there exists such serious need for early delivery and use as to negative in the public interest cancellation of the contract and advertising for quantity production of such airplane as has been determined to be best suited to the needs of the United States, as contemplated by the act of July 2, 1926, supra, and such facts are made of record here, it would seem this office might be justified in withholding objection to uses of the appropriation in making payments—but only to the extent of



established reasonable and necessary costs to contractors in manufacturing the airplanes as contracted for, plus reasonable profit—and within the price as stated in the contract. This, of course, because of total lack of competition as to price and the wide difference between the amount of the high bid, accepted, and the lower bids offering airplanes showing merit far in excess of the minimum requirements, and which were rejected.

So thus we see that the War Department is still pursuing their same old tactics of omitting open competition and are continuing to purchase on a quantity basis for what is supposed to be experimental planes. In this particular case, for example, the Fairchild Aircraft Corporation bid \$20,350 per plane less than the Douglas Aircraft Co., and their bid was considerable over the minimum requirements of the War Department, and yet they failed to receive any contract, and this is under the late improvements in procurement carried on about which Mr. Woodring says he is so proud. It would be of interest to find out—which is probably impossible under the present order of things—what kind and character of procurement the Government would receive if they advertised for bids as required under section 10a to 10e, where all people would have a chance to know what is going on and to bid on same, and then follow the procurement system as outlined in the law, so that after the design competition is completed that all would have an opportunity to bid on production contracts. If we could amend the law and place this matter back under the Comptroller's department, where it rightfully should have always stayed, we would have our procurement methods complied with instead of ignored, as shown from the above-quoted testimony and records.

#### SPARK PLUGS COME HIGH

On March 20, upon my request, I received a copy of the letter of the Comptroller General, Hon. J. R. McCarl, to the Secretary of War, as follows:

COMPTROLLER GENERAL OF THE UNITED STATES,  
Washington, March 20, 1936.

The Honorable the SECRETARY OF WAR.

SIR: There has been received your letter of February 6, 1936, as follows:

"Reference is made to your letter of January 16, 1936, file A-68803, relating to contract W 535 ac-7574, dated April 16, 1935, with the Hurley-Townsend Corporation, for the delivery of 1,400 spark plugs at a total cost of \$4,158, and containing the statement that appropriated moneys may not legally be charged with the purchase of the spark plugs in question for reasons cited in said letter.

"This purchase was approved by direction of the Secretary of War under the provisions of section 10 (k) of the Air Corps Act of July 2, 1926, after an opinion of the Judge Advocate General of the Army that approval could lawfully be given if in the judgment of the Secretary of War the spark plugs were necessary for experimental purposes as a procurement under the authority of said section 10 (k) of the act of July 2, 1926, and such approval would ratify and validate the contract in question. A photostatic copy of the entire correspondence in connection with the approval of the contract, with the endorsement containing the opinion of the Judge Advocate General, is enclosed herewith in explanation of the transaction.

"With regard to your statement that 'it is not understood why it should be necessary to purchase 1,400 spark plugs at a cost of \$2.97 each, or a total cost of \$4,158 for experimental purposes, and why a much smaller number of such spark plugs would not have been sufficient for such experimental purposes', a copy of procurement policy governing the procurement of aircraft engine spark plugs, dated February 7, 1935, is forwarded herewith, wherein provision is made for the procurement of spark plugs for service test purposes in a quantity not to exceed 2,000 under the provisions of paragraph (k), section 10, of the Air Corps Act approved July 2, 1926. The quantity of spark plugs purchased in this instance was the minimum quantity required to determine by actual use by tactical units whether the item would prove to be satisfactory in service.

"Your statement that 'it is not understood why spark plugs in accordance with standard Government specifications and drawings may be considered as experimental' is answered by stating that the spark plugs in question were of the contractor's design and reference was made to specification 95-28017-E, since this is a specification covering the general requirements on spark plugs and is applicable regardless of the quantity or status of spark plugs; that is, experimental, service test, or standard. Such a general specification is necessary in order to secure spark plugs of contractor's detailed design that will meet the general requirements of the Air Corps.

"Since the spark plugs in question were required for the purpose of conducting a formal service test on the latest type of shielded spark plugs manufactured by the Hurley-Townsend Corporation, and since procurement for the purpose intended is authorized under the provisions of section 10 (k) of the Air Corps Act, and in view of the opinion of the Judge Advocate General of the Army that ratification and approval of the contract might lawfully be given by The Assistant Secretary of War if, in the

judgment of the Secretary of War, the spark plugs were necessary for experimental purposes as a procurement under the authority of said section 10 (k) of the Air Corps Act, it is recommended that the matter be reconsidered with a view to authorizing payment."

The referred to section 10 (k) of the act of July 2, 1926 (44 Stat. 787), provides that:

"(k) The Secretary of War or the Secretary of the Navy, at his discretion, purchase abroad or in the United States, with or without competition, by contract or otherwise, such designs, aircraft, aircraft parts, or aeronautical accessories as may be necessary in his judgment for experimental purposes in the development of aircraft or aircraft parts or aeronautical accessories of the best kind for the Army or the Navy, as the case may be, and if as a result of such procurement new and suitable designs considered to be the best kind for the Army or the Navy are developed, he may enter into contract, subject to the requirements of paragraph (j) of this section, for the procurement in quantity of such aircraft, aircraft parts, or aeronautical accessories without regard to the provisions of paragraphs (a) to (e), inclusive, hereof."

While said section authorizes purchases without competitive bidding, for experimental purposes, such designs, aircraft, aircraft parts, or aeronautical accessories as the Secretary may consider necessary in the ascertaining of the aircraft or aircraft parts or aeronautical accessories best for the needs of the Army, it provides no authority for quantity purchases without competitive bidding. Such designs or types of aircraft, parts, or accessories as in the judgment of the Secretary are worthy of consideration and tests may be purchased without competitive bidding, but only to the extent necessary for experimental purposes. With respect to quantity purchases there are applicable other provisions of law, particularly subsections (j) and (t) of the act of July 2, 1936. In this connection there is reason for pointing out that the procurement policy mentioned in the above-quoted letter, and apparently relied upon as authority for what appears to have been a quantity purchase without the safeguard of competitive bidding, was merely a creature of administration and could supply no authority beyond that conveyed by the act of July 2, 1926.

No facts have been supplied showing a need for as many as 1,400 spark plugs for purely experimental purposes, and there seems room for serious doubt whether any such quantity was actually or even reasonably necessary.

While, on the present record, and in view of a possible misunderstanding of the limitations upon purchases under subsection (k), no further objection appears necessary to uses of the appropriation in making otherwise proper payments in connection with this particular purchase, but prompt administrative action should be taken to prevent any attempted purchase under subsection (k) except in such quantity as clearly is necessary for experimentation.

Respectfully,

J. R. McCARL,  
Comptroller General of the United States.

Thus, it is seen how the War Department is now purchasing 1,400 spark plugs at a total cost of \$4,158, or \$2.97 each, under section 10 (k), claiming that it is necessary to so purchase them for experimental purposes. Had such spark plugs been purchased through open competitive bidding, there is no doubt but what they could have been purchased for much less money. There was no emergency shown and no satisfactory reason given why such a large number of spark plugs should be purchased without competition as provided by law. This is a fair example of what Mr. Woodring evidently means when he said, as above quoted, that he has "devoted a great deal of time and energy the past 2 years to the development of a procurement policy."

#### TEN-PERCENT PROFITS LIMITATIONS FOR NAVY

The 10-percent profits limitation was placed on the Vinson-Trammell Naval Act in March 1934 and has not proven cumbersome or unsatisfactory. The following regulations have been worked out to administer this act by the Treasury and Navy Departments:

The method of ascertaining the amount of excess profit to be paid to the United States in respect of contracts entered into under the Vinson Act shall be as follows:

"The excess profit shall be determined on each contract separately upon the completion or other termination of the contract. The amount of such excess profit shall be the amount of the profit on the contract in excess of 10 percent of the total contract price. The amount of the profit on the contract shall be the difference between the total contract price and the cost of performing the contract. The cost of performing the contract shall be the direct costs, such as material and labor, incurred by the contractor in performing the contract, plus a reasonable proportion of any indirect costs (including overhead or general expenses) appertaining to the contract which are not usually directly allocated to the cost of performing the contract. No general rule may be stated for ascertaining the reasonable proportion of the indirect costs to be allocated to the cost of performing a contract which would be applicable to all cases. The proper proportion of the indirect costs to be applied to the cost of performing a particular contract depends upon all the facts and circumstances relating to the performance of the particular contract. The contractor shall include



as a part of the report required to be made to the Secretary of the Navy upon the completion or other termination of the contract a statement explaining the manner in which such indirect costs were determined and allocated to the cost of performing the contract."

A copy of the report relating to the contract required to be made to the Secretary of the Navy shall, immediately upon completion or other termination of the contract, be filed by the contractor with the collector of internal revenue for the collection district in which the contractor's Federal income-tax returns are required to be filed. The contractor shall pay any excess profit disclosed in such report to the collector of internal revenue at the time such report is filed.

The duty of determining the profit and the excess profit, if any, on contracts entered into under the Vinson Act is hereby delegated to the Commissioner of Internal Revenue.

If the Commissioner determines in respect of any contract entered into under the Vinson Act that there is an excess profit in an amount exceeding the excess profit, if any, shown upon the copy of the report filed with the collector of internal revenue and already paid, or, in case no such copy is filed and/or no excess profit is paid, the Commissioner finds and determines that the contract has been completed or otherwise terminated and that an excess profit has been received, the Commissioner may proceed to collect such unpaid excess profit under the usual methods employed under the internal-revenue laws to collect Federal income taxes.

The same satisfactory amendments can and should be provided for aircraft, ordnance, and procurement for the War Department, and I recommend to the free conference committee the following amendment be inserted in lieu of the amendment adopted by the House, which I am sure will secure the necessary results without working any hardship from an administrative standpoint on either Department:

SEC. 4. No appropriations herein, heretofore, or hereafter made shall be available to make any payment under any contract for the quantity purchase (exceeding two of each kind for experimental purposes) of any aircraft, ordnance material, automobiles, or trucks, or for any construction work under the control of the War Department, unless the contractor agrees—

(a) To make a report, as hereinafter described, under oath, to the Commissioner of Internal Revenue upon the completion of the contract.

(b) To pay into the Treasury profit, as hereinafter provides shall be determined by the Treasury Department, in excess of 10 percent of the total contract price as increased by incidental changes, if any, such amount to become the property of the United States: *Provided*, That if such amount is not voluntarily paid the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, may collect the same under the usual methods employed under the internal-revenue laws to collect Federal income taxes.

(c) To make no subdivision of any contract or subcontract for the same or similar articles for the purpose of evading the provisions of this act, but any subdivision of any contract or subcontract involving an amount in excess of \$10,000 shall be subject to the conditions herein prescribed.

(d) That the manufacturing spaces and books of its own plants, affiliates, and subdivisions shall at all times be subject to inspection and audit by any person designated by the Secretary of War, the Secretary of the Treasury, and/or by a duly authorized committee of Congress.

(e) To make no subcontract unless the subcontractor or material man agrees to the foregoing conditions.

The method of ascertaining the amount of excess profit to be paid into the Treasury shall be determined by the Secretary of the Treasury in agreement with the Secretary of War and made available to the public. The method initially fixed upon shall be determined before June 30, 1936, but the terms of this act shall not apply to any contract actually signed as provided in section 3744, Revised Statutes, prior to the approval of this act: *Provided*, That for purposes of costs in determining excess profits under this act salaries and wages paid by a contractor after securing a contract with the War Department shall not be increased more than 10 percent over the amount paid to the officers and employees prior to obtaining such contract, and overhead allowed as a part of the cost shall not exceed the amount customarily allowed on the books of similar contractors and manufacturers. The determination of the Commissioner of Internal Revenue shall be final and conclusive on the contractor for the purposes of this proviso: *And provided further*, That in any case where any excess profit may be found to be owing to the United States in consequence hereof the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall allow credit for any Federal income taxes paid or remaining to be paid upon the amount of such excess profit.

The contract or subcontracts referred to herein are limited to those where the contract price exceeds \$10,000.

#### WAR DEPARTMENT AUDITS

In one breath General Craig testified the War Department auditors go carefully into every cost before a contract is awarded, and are in the factory during the life of the contract and in the next breath he states the administration of this provision will be very expensive and the auditing force

would have to be greatly increased. As a result of our hearings before our committee investigating naval aircraft procurement, it was made plain that the Navy has no adequate system of checking overhead costs in aircraft factories. General Craig makes the same admissions as above shown, which is confirmed by existing facts in the lack of complete supervision of overhead costs in aircraft concerns selling all War Department equipment.

#### CONCLUSION

I trust that the membership of the House will insist upon ample time being given to the debate of the profits now being made on aircraft and other procurement so that we may go carefully into the merits and into the arguments advanced by the War Department as to reasons why no profits-limitation provisions should be placed upon the War Department appropriation bill. Every ex-service men's organization since the war has demanded that profits be taken out of war. Recent disclosures made by the Senate Munitions Committee, as well as disclosures made as shown by my minority report, clearly show the existence of an Air Trust and the total lack of any accurate system of checking overhead costs on Naval and War Departments aircraft procurement in determining proper division of costs between commercial and Government contracts convinces me that a 10-percent-profits limitation should be applied. The above letters from the Comptroller's Department clearly show a necessity for such a profits limitation.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. GREEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. DIRKSEN. Mr. Speaker, reserving the right to object, it seems to me that we ought to dispose of the District business if we are going to this afternoon, and then let these speeches come along afterward.

Mr. GREEN. I just want to ask permission to revise my remarks.

Mr. DIRKSEN. This District of Columbia bill is in the air, and I shall insist on the reservation until I can learn just what the program is going to be.

Mrs. NORTON. I may say to the gentleman from Illinois that I have no objection to the request.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GREEN. Mr. Speaker, I have been very much interested in statements made by persons in Washington who desire the right to vote. I find in 40 or 41 States of the Union a method is provided for the registration of absentee voters, which would enable them to vote. It seems to me it may be of interest to the people of the District of Columbia to know that they now are qualified to vote in States of their actual residence, provided they avail themselves of the statutes that exist in those various States.

What is needed by the people of the city of Washington is not necessarily local franchise; they should exercise their existing voting rights by availing themselves of the absentee voters' laws of their respective States. I urge them to qualify and vote.

In the news of the world we read of the happenings in other climes. The chief issues of the day seem to be war and turmoil and uprising. Witness the conditions of strife-torn Europe; of torrid and darkest Africa; of the Far East and Mongol Asia; of the continent to the south of us; and even in our neighboring sister, Mexico, where the chief executive on retiring knows not whether his party will be in power when he arises to greet the sunrise of the coming day. We are fortunate, my friends, in living in a peace-loving Nation where all men are equal and every man has his equal voice in the Government. In the group of nations I have named "voice of the people" is not always registered—class distinction has prevented this—but in our own United States class distinction is eliminated and the voice of the poorest citizen can be heard along with that of the most wealthy. We are a free Nation; we are a liberty-loving people; and



the voice of the people expressed in the ballot expresses the will of the Nation. In no other country of the world are the citizens as free and peace loving as in our great and powerful United States.

The ballot, my friends, is the symbol of freedom. The proper use of your ballot is not only a right of citizenship but is a privilege exercised only by free men. The ballot insures the perpetuation of our God-given American liberties. That all men shall be equal and have an equal voice is a guarantee of the Constitution. Compare this with the conditions existing in other countries, and you will find that the line of demarcation is the open privilege of franchise.

The ballot, my colleagues, is the dividing line between strife and peace. In this our general-election year every conscientious citizen should express his voice at the polls. The general election to be held on November 3 of this year should reflect the sentiment of the entire electorate of our Nation. Polls will be open on that day in every hamlet and village, and the citizenry, by following the proper procedure, may avail themselves of this inalienable privilege of free men. To be eligible to cast a ballot a person must, first of all, be a citizen of the United States, which is an honor I cherish even above that of being a Member of this body. He must also be a citizen of one of the States of our Union, of his county, and of a particular voting district. In most of our States he must be registered at various intervals, depending, of course, upon the laws of the particular State. In many of the States a capitation or poll tax is assessed against and must be paid by every voter. This registration, this payment of capitation or poll tax, this marching to the polls, this casting of the ballot involves a certain amount of sacrifice. It may take minutes, it may take an hour, it may cost you a few dollars; but in the end, when you have completed your duty, you can look any man in the face and say, "I am an American citizen; I have cast my ballot as a true and loyal citizen."

It so happens that many of our citizens have strayed far from the polling places in which they hold residence and are unable to return to register or vote. Forty of our States have made provisions for these absent voters. They are no longer in the rolls of absent voters, for, no matter where they may be, if they follow the provisions of their State's statutes, their franchise is available.

In order that the absentee voter of any State may have the full facilities for exercising his franchise, an absentee voter's bureau has been established on the mezzanine floor of the District National Bank Building, 1406 G Street NW., Washington, D. C., where the proper forms, information, and free notarial service may be obtained to assist the voter in expressing his voice in the governmental affairs of his State and Nation. This bureau is operated by the Women's National Council, a volunteer group of loyal women whose efforts are unceasing and whose faith in American principles is unflinching. The absentee voter's bureau is open daily, except Sunday, from 9 a. m. until 10 p. m.

My own State of Florida, in checking its citizenry, finds that thousands of its eligible voters have by circumstances and for business reasons found it necessary to drift to the various corners of our Nation. Over 2,000 are temporarily residing in Washington and vicinity. These citizens are now enfranchised and will be able to cast their ballots in all future elections, providing they make the necessary sacrifice of time and effort. In the 1935 session of the Florida Legislature, my State joined the other progressive States and made provisions for these absentee voters by enacting the Florida absentee registration law and the Florida absentee voting law, the text of which appears below. The Florida absentee laws are a model for the remaining States of the Union which have not as yet granted absentee privileges to its citizens. It is with pardonable pride that I give credit for the passage of these bills to Hon. Dan Kelly, representative from Nassau County, one of the smallest, though one of the most progressive counties of my district. Another of my constituents, Dan P. Mularkey, was the author of Florida's absentee laws. I commend him for his foresight in this wonderful service he has rendered the people of Florida.

I am pleased herewith to make available the following information on Florida absentee registration and voting and other information of interest to Florida absentee voters.

Election dates: Date first primary, June 2, 1936; date second primary, June 23, 1936; date general election, November 3, 1936.

#### ABSENTEE REGISTRATION INFORMATION

Time to apply for absentee registration: For primary elections, between March 1 and April 30, inclusive; for general election, between June 4 and October 10, inclusive. Persons registering for primary election will be qualified for following general elections.

Where to apply: Absentee Voters Bureau, Washington, D. C., in person, or apply by letter to supervisor of registration of your home county requesting absentee registration blanks. As the Absentee Voters Bureau has all information, forms, and notarial service, I would suggest that citizens apply there personally and save correspondence. No charge for notarial service.

Apply for your registration blanks as early as possible so that there will be no last-minute delay, and also to avoid double work to the volunteer workers who will have the responsibility of absentee-voting applications during the last few weeks of the registration period. Apply for absentee registration before April 15, if possible.

Counties of Florida in which a reregistration of voters is required in 1936: Alachua, Broward, Charlotte, Columbia, Dade, De Soto, Dixie, Duval, Escambia, Gilchrist, Hardee, Highlands, Hillsborough, Lafayette, Leon, Levy, Liberty, Madison, Monroe, Okeechobee, Orange, Palm Beach, Pinellas, Polk, St. Johns, Sarasota, Seminole, Suwannee, Volusia, and Walton.

In all other counties of the State, if you have registered and voted within recent years, you are still registered. To avoid any difficulty, I would suggest that if you have not voted since 1930, to file an absentee registration application.

Floridians temporarily residing in Washington—or in any State—who have not registered in any other State since temporarily removing from Florida, are eligible to register and vote.

#### POLL-TAX INFORMATION

No person shall be permitted to vote at any election who shall have failed to pay, on or before May 16, his or her poll taxes for the 2 years next preceding the year in which such election shall be held. Poll taxes for 1934 and 1935 are now due. Mail poll taxes to tax collector of your home county before May 16.

#### PERSONS EXEMPT FROM PAYMENT OF POLL TAXES

First. Persons becoming of age during election year—1936—shall not be required to pay poll taxes for the years in which he or she was not of age.

Second. If you were 55 years of age on January 1, 1934, you are exempt from all poll tax. If you were 55 on January 1, 1935, you will be required to pay for 1 year only.

Third. Disabled war veterans are exempt, but must exhibit a certificate of such disability to supervisor of registration.

Fourth. A person who has been a resident of Florida for only 1 year previous to any general election shall not be required to pay more than 1 year's poll tax.

Poll tax in Florida is \$1 per year. To vote in any 1936 elections, including general election, poll taxes must be paid before midnight, May 16.

#### APPLICATION FOR ABSENTEE BALLOT—TIME TO APPLY

For primary absentee ballot: Application for absentee primary ballot must be in hands of county judge of your county before midnight of May 26. To avoid duplication of work, call at the absentee voter's bureau between April 15 and May 15 for your application for ballot.

In the case of the second primary applications for ballots must be made before June 16.

In the case of the general election application must be before October 27.

Official ballots must be marked and be in the hands of the county judge by midnight of the day on which the election is held.



Florida absentee laws also include provisions for any municipal elections.

All applications for absentee registration, applications for absentee ballots, and the ballot are required to bear a notary's seal. Notaries are on hand at all times at the bureau.

Remember the four steps in casting your absentee ballot: (1) Application for absentee registration; (2) payment of poll taxes, if required; (3) application for absentee ballot; (4) mailing the absentee ballot.

That an absentee Florida citizen should neglect any one of the above steps and thereby fail to cast his or her ballot means failure in this personal test of good citizenship.

It gives me great pleasure to list herewith the text of the Florida absentee registration law, the Florida absentee voting law, and the newly enacted redistricting law, which created another congressional district—the fifth—from parts of the first and fourth districts.

#### TEXT OF FLORIDA ABSENTEE REGISTRATION LAW

Chapter 16987 (no. 216) (house bill no. 89), an act providing for registration of qualified electors from without the State in any primary, general, school, municipal, or special elections; and providing procedure in connection therewith, determining residence in connection therewith, and providing for a penalty for violations of any part of this act

*Be it enacted by the Legislature of the State of Florida:*

SECTION 1. That any person entitled to vote at any primary, general, school, municipal, or special election, who is absent from the State or county in which he or she maintains his or her legal residence, and is entitled to vote, may, within the time prescribed by the registration laws of Florida in effect at the time, make application in writing to the supervisor of registration of the county of his or her legal residence to have his or her name entered upon the registration books of the precinct of said residence, by mailing to and filing with said supervisor of registration his or her application and affidavit in the following form:

I, \_\_\_\_\_, being first duly sworn, on oath say that I am a citizen of the United States and a legal voter, or eligible to become a legal voter, in the State of Florida; that my legal residence is \_\_\_\_\_ Street (or Avenue) in the \_\_\_\_\_ election precinct, or the \_\_\_\_\_ ward in the city (town) of \_\_\_\_\_, county of \_\_\_\_\_; that I have not been and will not be able to register personally for the reason that \_\_\_\_\_; that I am not a registered voter in any other State, other than the State of Florida; that I desire to be registered in such \_\_\_\_\_ precinct; that my full name is \_\_\_\_\_; I was born on \_\_\_\_\_ at \_\_\_\_\_; that I am \_\_\_\_\_ feet \_\_\_\_\_ inches in height; that my legal residence is and has been in the State of Florida for 12 months last past and of the county \_\_\_\_\_ for 6 months last past; that my occupation is \_\_\_\_\_; that my party affiliation is \_\_\_\_\_; that I desire registration certificate mailed to me at \_\_\_\_\_.

(Signature) \_\_\_\_\_

Sworn to and subscribed to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Upon the filing of said application with the supervisor of registration, he shall enter the name of such person upon the registration book and shall forward said applicant a certificate of registration.

SEC. 2. That the place of residence for registration purposes, so far as the same shall apply to the provisions of this act, shall be construed to be the place at which he last resided prior to his or her temporary removal from the State, which necessitated his being absent from his or her home county upon such election day, as stated in section 1 of this act.

SEC. 3. That any person who shall make or transmit or deliver, or cause to be made, transmitted, or delivered, any false statement or affidavit with the intent that the same be used under any provision of this act, or violate any provision of this act, shall upon conviction be punished by a fine not to exceed \$1,000 or by imprisonment not to exceed 1 year, or by both such fine and imprisonment.

SEC. 4. That all laws or parts of laws in conflict herewith are hereby repealed.

SEC. 5. That this act shall take effect immediately upon its becoming a law.

Approved May 16, 1935.

Filed in office secretary of state May 16, 1935.

#### TEXT OF FLORIDA ABSENTEE VOTING LAW

Chapter 16980, no. 215 (house bill no. 88), an act providing for absentee voting from without the State of Florida in primary, general, school, municipal, or special elections; providing the procedure to be followed; providing the duties of officials in connection therewith; providing for a penalty for violations of any part of this act, and repealing all laws in conflict herewith

*Be it enacted by the Legislature of the State of Florida:*

SECTION 1. That any qualified elector who is required to be absent from the State of Florida for a period of more than 15 days next prior to and including the day of any primary, general, school, municipal, or special election, may make written request by mail to the county judge of the county of his or her legal

residence, or to the clerk of the municipality, in case of municipal elections, for an official ballot to be used at his or her voting precinct or ward at such election in the following form, to wit:

State (district) of \_\_\_\_\_  
County of \_\_\_\_\_

I, the undersigned, do hereby solemnly swear that I am a citizen of the United States; that I am a legal resident of the State of Florida and have been such for 1 year last past, and of the county of \_\_\_\_\_, city or town of \_\_\_\_\_ for 6 months last past; that I am a duly qualified voter in precinct (or ward) no. \_\_\_\_\_ of said county or municipality; that I am a qualified elector under the laws of the State of Florida; that I have not voted in any State other than the State of Florida within the last 12 months; that I am not a registered voter in any State other than the State of Florida; that I expect to be absent from the State of Florida on the occasion of the \_\_\_\_\_ election to be held in \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_; that I will have no opportunity to vote thereat personally, will not attempt to do so, and request that an official ballot be mailed to me at no. \_\_\_\_\_ street, avenue, city of \_\_\_\_\_, State of \_\_\_\_\_.

\_\_\_\_\_, *Elector.*

Such oath or affidavit shall be taken and signed before an officer duly qualified to administer oaths under seal.

It is hereby made the duty of all county judges in this State, and of the several clerks of the municipalities in the State in case of municipal elections, to mail, not more than 15 days nor less than 6 days next prior to such election, one such official ballot to each elector so applying.

Such elector upon receipt of ballot shall mark same as required by law, and after folding the ballot in a plain envelope to be furnished by such county judge or municipal clerk, such elector shall take and subscribe to the following oath or affidavit which is to be printed upon the front of a large envelope furnished by the several county judges or municipal clerks for that purpose, to wit:

State of \_\_\_\_\_  
County of \_\_\_\_\_

I, the undersigned, do hereby solemnly swear that I am a citizen of the United States; that I am a legal resident of the State of Florida and have been such for 1 year last past and of the county of \_\_\_\_\_, city or town of \_\_\_\_\_ for 6 months last past; that I am a duly qualified voter in precinct or ward no. \_\_\_\_\_ of said county or municipality; that I am a qualified elector under the laws of the State of Florida; that I expect to be absent from the State of Florida on the occasion of the \_\_\_\_\_ election to be held in \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_; that I will have no opportunity to vote thereat personally and will not attempt to do so; that I have not voted in any State other than the State of Florida during the past 12 months; that that I am not a registered voter in any State other than the State of Florida.

\_\_\_\_\_, *Elector.*

Upon the back and across the flap of the outside envelope shall be written or printed the form as provided in section 2 of chapter 11824, Laws of Florida, Acts of 1927.

Such ballots so marked and sealed shall thereupon be transmitted by registered mail to, and received by such county judge or municipal clerk as the case may be, whose duty it is hereby made to receive, accept, and preserve the ballot in his possession, and shall thereafter handle the same as provided in section 2 of chapter 11824, Laws of Florida, Acts of 1927.

SEC. 2. That it shall be the duty of the county judge or municipal clerk, as the case may be, to receive and handle all absentee voters' ballots received by him until midnight of said election day. Ballots received by such county judge or municipal clerk after midnight of such election day shall be voided, and such ballots destroyed by canvassing board of the county in which received.

SEC. 3. That any person who shall make or transmit or deliver, or cause to be made, transmitted, or delivered, any false statement or affidavit with the intent that the same be used under any provision of this act shall, upon conviction, be punished by a fine not to exceed \$1,000, or by imprisonment not to exceed 1 year, or by both such fine and imprisonment.

SEC. 4. That all laws or parts of laws in conflict herewith are hereby repealed.

SEC. 5. That this act shall take effect immediately upon its becoming a law.

Approved May 16, 1935.

Filed in office secretary of state, May 16, 1935.

#### TEXT OF FLORIDA REDISTRICTING LAW OF 1935

Redistricting law (house bill no. 267), an act dividing the State of Florida into five congressional districts, and prescribing and setting forth the territorial limits and boundaries of each district

*Be it enacted by the Legislature of the State of Florida:*

SECTION 1. That the State of Florida be, and the same is hereby, divided into five congressional districts, same to be numbered and designated as District No. 1, District No. 2, District No. 3, District No. 4, and District No. 5.

SEC. 2. The counties of Charlotte, De Soto, Glades, Lee, Hendry, Pasco, Hardee, Highlands, Hillsborough, Manatee, Pinellas, Polk, Hernando, and Sarasota shall constitute and compose the First Congressional District.

SEC. 3. The counties of Alachua, Baker, Bradford, Clay, Columbia, Dixie, Duval, Gilchrist, Hamilton, Lafayette, Levy, Nassau, Suwannee, Madison, Taylor, and Union shall constitute and compose the Second Congressional District.



Sec. 4. The counties of Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Okaloosa, Santa Rosa, Wakulla, Walton, and Washington shall constitute and compose the Third Congressional District.

Sec. 5. The counties of Broward, Collier, Dade, Indian River, Martin, Monroe, Okeechobee, Palm Beach, and St. Lucie shall constitute and compose the Fourth Congressional District.

Sec. 6. The counties of Brevard, Citrus, Flagler, Lake, Marion, Orange, Osceola, Putnam, Seminole, Sumter, St. Johns, and Volusia shall constitute and compose the Fifth Congressional District.

Sec. 7. That when any new counties are created, such new counties shall compose a part of the congressional district out of which the territory for such new county is located.

Sec. 8. That all laws or parts of laws in conflict herewith are hereby expressly repealed.

Sec. 9. This act shall take effect at the expiration of the terms of office of the Congressmen now serving from this State, provided that at the general election to be held in 1936, a Congressman shall be elected from each district as by this act created.

Approved May 28, 1935.

Filed in office, secretary of state, May 29, 1935.

GENERAL STATEMENT ON ABSENTEE REGISTRATION AND ABSENTEE VOTING PROVISIONS IN THE LAWS OF VARIOUS STATES

States in which absentee registration provisions have been made: Arizona, Arkansas, California, Colorado, Connecticut, Florida, Idaho, Illinois (Presidential election years), Iowa, Kentucky, Michigan (Federal employees only), Minnesota, Mississippi, Missouri (in cities over 100,000 population only), Nebraska (only in cities of less than 7,000 population), Nevada (Federal employees only), New Mexico, New York (in cities of less than 5,000 only), Oregon (State and Federal employees only), Pennsylvania (in boroughs and townships of less than 5,000 only—registration is possible by affidavit presented in person on general-election day), South Dakota, Tennessee, Texas, West Virginia (Federal employees only), Wisconsin, Wyoming.

States in which absentee-voting provisions have been made: Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana (Federal employees only), Maine, Massachusetts, Michigan, Minnesota, Montana, Nebraska, Nevada, New Hampshire (general election only), New Mexico, New York (general election only), North Carolina, North Dakota, Ohio, Oregon, Rhode Island, South Carolina (primary only), South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

As my time and space does not permit me to go into the laws affecting the various States, it is suggested that any person who is eligible to register or vote in any of the above-named States and desires information as to eligibility, procedure, or any other data may call at the Absentee Voter's Bureau, where such will be gladly given on request. Persons not residing in their home State and not in the vicinity of Washington will be given the proper information upon written request. The address of the Absentee Voter's Bureau is District National Bank Building, 1406 G Street NW., Washington, D. C.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. GREEN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and to include therein a short excerpt from the Florida statutes relative to voting, and so forth.

Mr. SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

Mr. SNELL. Mr. Speaker, reserving the right to object, I have no objection to these speeches, but if we are going to do any business this afternoon I propose to have it come up first. May I ask someone on that side what the program is going to be?

Mrs. NORTON. Mr. Speaker, reserving the right to object, sometime ago the gentleman from Oklahoma came to

me and asked if he might have 3 minutes. I promised him I would not object to his securing this time, but this is the last speech that I will not object to.

Mr. SNELL. May I ask further if it is the intention to take up anything else this afternoon besides the District business and the speeches that are desired to be made at this time?

The SPEAKER. That will depend on the time the House adjourns. I do not know how long the House will be in session.

Mr. SNELL. I understand there is no other business to come before the House. What I had in mind particularly was whether the long- and short-haul bill was to be taken up further this afternoon?

The SPEAKER. The Chair is not advised about that matter.

Mr. SNELL. May I ask the gentlemen on the other side if it is the intention to take up any other business this afternoon?

Mr. BANKHEAD. Mr. Speaker, it is not the intention to take up any other legislative business except the call of the District Committee.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BLANTON. Mr. Speaker, will the gentleman yield so that I may propound a unanimous-consent request?

Mr. NICHOLS. I yield to the gentleman for that purpose.

Mr. BLANTON. Mr. Speaker, on the 16th I secured permission to date my remarks on March 20, which on March 3, I got permission to extend my remarks in the RECORD and to include some excerpts from hearings and data which I am securing from the departments here in Washington. I find I will not be able to get all this data before Friday, and I therefore ask unanimous consent to extend the time for the extension of my remarks until next Friday, instead of the 20th.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. NICHOLS. Mr. Speaker, I asked for this time in order that I might have the opportunity to read to the Members of the House an order recently issued relative to C. C. C. camps, which I am sure will be of interest to every Member. This letter is directed to Hon. Robert Fechner, Director of Emergency Conservation Work, Washington, D. C., and reads as follows:

HON. ROBERT FECHNER,

Director of Emergency Conservation Work,  
Washington, D. C.

MY DEAR MR. FECHNER: In reviewing the Emergency Conservation Work program for the period ending March 31, 1937, at which date the emergency conservation work will terminate according to existing law, I have determined that the present number of Civilian Conservation Corps camps shall be maintained unless such camps are reduced as a result of the completion of the work now being performed by the enrollees of any such camps, or the reduction through discharges, separations, or other causes in the number of enrollees to approximately 163 in any one camp.

I have also determined that the total number of enrollees for the Civilian Conservation Corps should be gradually reduced to about 350,000 and this number maintained through March 31, 1937.

It is appreciated that no hard-and-fast rule can be laid down. You are therefore authorized to take such measures as may be necessary to carry out this general program as nearly as may be practicable.

Additional funds not to exceed \$6,825,000 will be allotted to you as and when needed from the appropriation contained in the Emergency Relief Appropriation Act of 1935 for the balance of this fiscal year, and steps will be taken to secure the necessary funds for the fiscal year 1937.

Very truly yours,

Mr. Speaker, this simply means that the present number of camps will be maintained as they are until the 31st of March 1937, which is the time limitation in the original act. Since the purposes for which the recent petition calling a Democratic caucus have been accomplished, this caucus will not be called. [Applause.]

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. NICHOLS. I yield to my colleague from Oklahoma.



Mr. JOHNSON of Oklahoma. I want to express my appreciation to the gentleman for the splendid work he has done in aiding the retention of the C. C. C. camps until March 1937, and to tell him that those of us who were closely associated with him in the courageous and successful fight made by the gentleman keenly appreciate the efforts of the chairman, who played a very important role in getting this job done.

Mr. NICHOLS. I thank the gentleman.

Mr. RANDOLPH. Will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. I also join with my colleague the gentleman from Oklahoma in his words of appreciation. However, may I express the further thought that the civilian conservation workers of the United States have been of splendid assistance in the stricken flooded areas and have met the emergency well.

[Here the gavel fell.]

Mr. FULLER. Mr. Speaker, I ask unanimous consent that the gentleman may proceed for 1 additional minute.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GREEVER. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. GREEVER. I want also to add to what has been said here my appreciation of what the gentleman has done along this line, because the C. C. C. camps have done a great work in the West in connection with the parks and forests and grazing areas, as well as in other places, and this action of the President is indeed gratifying.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. BLANTON. As one of the enlisted men I also want to commend the gentleman for his splendid work.

Mr. NICHOLS. I want to thank every Member of the House for his cooperation and for the assistance which the membership has given me in this fight. [Applause.]

#### NATIONAL HOUSING ACT

Mr. GOLDSBOROUGH. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight to file a report on the bill (H. R. 11689) to amend title I of the National Housing Act, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### ELECTRIC HOME AND FARM AUTHORITY

Mr. GOLDSBOROUGH. Mr. Speaker, I ask unanimous consent that I may have until midnight tonight to file a report on the bill (S. 3424) to continue Electric Home and Farm Authority as an agency of the United States until February 1937, and for other purposes.

Mr. McFARLANE. Mr. Speaker, reserving the right to object, what is this bill?

Mr. GOLDSBOROUGH. It is a bill to extend the Electric Home and Farm Authority.

Mr. O'CONNOR. Mr. Speaker, reserving the right to object, will that report be available for a hearing before the Rules Committee tomorrow?

Mr. GOLDSBOROUGH. Yes; it will be filed tonight.

Mr. O'CONNOR. If it is not filed until midnight tonight, it might not be printed in time to be available.

Mr. GOLDSBOROUGH. As a matter of fact, it is ready now, and will be filed right away.

Mr. McFARLANE. Reserving the right to object, Mr. Speaker, how does this bill differ from the Rural Electrification Authority?

Mr. GOLDSBOROUGH. It is a different Authority. This has more to do with urban homes than rural homes.

Mr. McFARLANE. I am in favor of it if it will help to whip the Power Trust.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

#### INFORMATION CONCERNING BENEFITS AVAILABLE TO VETERANS AND THEIR DEPENDENTS UNDER LAWS ADMINISTERED BY THE VETERANS' ADMINISTRATION AND OTHER GOVERNMENTAL AGENCIES, INCLUDING THE WAR DEPARTMENT AND CIVIL SERVICE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, May 15, 1934, I prepared a statement in regard to veterans and their dependents. Several hundred thousand of these statements in pamphlet form were purchased by Members of Congress and different veterans' organizations and distributed widely over the country. Many referred to this pamphlet as the "veterans' bible."

With the assistance and cooperation of Mr. Earl D. Chesney, liaison representative of the Veterans' Administration on Capitol Hill, and with the full and complete cooperation of Gen. Frank T. Hines and the Veterans' Administration, I have prepared another pamphlet, which is more complete and comprehensive than the one of May 15, 1934. It has been prepared to provide helpful information to persons who have served in the armed forces of the United States in time of war or peace and to the dependents of such veterans regarding the rights to monetary and other benefits which may be obtained by applying to the Veterans' Administration, the agency established to administer existing laws relating to these matters.

The purpose sought to be attained is to state in a general way the different benefits and the most essential requirements which must be met by a claimant with respect to each. No effort has been made to provide detailed technical information on constructions and interpretations of the veterans' acts, such as would be essential in the adjudication of claims. The statement also includes information concerning veterans' preference to civil-service employment, burial in national cemeteries, headstones, and benefits given by States.

Nothing of its kind has ever before been presented by any Government department or veterans' organization.

I therefore ask unanimous consent to insert this information in the Record, together with such extracts from the laws and regulations as may be necessary.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Veterans' Administration was established on July 21, 1930, as the result of an act of Congress (Public 536, 71st Cong.) passed on July 3, 1930, which authorized the consolidation into one Federal establishment of those agencies created for or concerned in the administration of laws relating to the relief and other benefits provided by law for former members of the Military and Naval Establishments and their dependents. These agencies were the Bureau of Pensions, the National Home for Disabled Volunteer Soldiers, and the United States Veterans' Bureau. As one result of the consolidation the entire subject of veterans' relief, and especially the inequalities and inconsistencies existing in the measure of relief granted to veterans and their families, were brought into greater prominence. This, together with the inception of a severe economic depression and other reasons, occasioned the enactment into law on March 20, 1933, of a law known as Public Law No. 2, Seventy-third Congress. This act did not disturb monetary benefits based upon service prior to the beginning of the Spanish-American War on April 21, 1898, except to provide for a percentage reduction in pension based upon service prior to that time for wartime veterans and their dependents, and this reduction has since been eliminated. The law did repeal, however, the laws granting the following major benefits, but authorized their continuation in modified form:

1. Medical and hospital treatment and domiciliary care.
2. Payment of pension and other allowances to Spanish-American War veterans and their dependents.
3. Payment of pension and other allowances to former members of the military or naval service who served on or after April 21, 1898, and their dependents.



4. Compensation, emergency officers' retirement pay, and other allowances to World War veterans and their dependents.

The act of March 20, 1933, also authorized the President of the United States to prescribe, by regulation, and within certain limitations stipulated in that act, the conditions under which persons who served in the armed forces of the United States on or after April 21, 1898, and their dependents may be granted benefits. The same act provided that the regulations issued by the President which were in effect 2 years from the date of the act on March 20, 1933, should continue in effect without further change or modification except by the Congress.

In addition to the veterans' regulations issued by the President, the Congress has enacted legislation since March 20, 1933, which liberalized and in large measure restored benefits payable to war veterans who served on or after April 21, 1898, and their dependents. The result is that many veterans may be entitled to benefits under more than one act of Congress. For this reason, when the benefits available to persons who served on or after April 21, 1898, are described, it will be indicated whether the benefits are authorized under the act of March 20, 1933, or by other legislation.

From the above it will be seen that April 21, 1898, is a highly significant date in the present development of veterans' legislation, and for this reason this pamphlet endeavors to explain the functioning of the Veterans' Administration and the laws which it administers by presenting the subject matter under the following four parts:

I. Functions and location of the Veterans' Administration and its field stations.

II. Monetary benefits available to veterans and their dependents based upon service in the armed forces of the United States prior to April 21, 1898.

III. Pension and compensation available to veterans and their dependents based upon service in the armed forces of the United States on or after April 21, 1898.

IV. Hospital and domiciliary care and other benefits.

#### PART I

##### FUNCTIONS AND LOCATION OF THE VETERANS' ADMINISTRATION AND ITS FIELD STATIONS

The Veterans' Administration, under the Administrator of Veterans' Affairs, maintains a central office located in the Arlington Building, Washington, D. C., and 108 field stations located in the various States and Territorial possessions. There are in addition two supply depots, one located at 1749 West Pershing Road, McKinley Park Station, Chicago, Ill., and the other at Perry Point, Md. In addition to the supervision of all the field stations the central office is solely responsible for the administration of the laws pertaining to Government life insurance and the adjudication of claims for benefits thereunder, except in litigated cases; the issuance of adjusted-service (bonus) certificates and the adjudication of claims in reference to adjusted compensation; the adjudication of pension claims based upon service in the Army, Navy, and Marine Corps, except for such service between April 6, 1917, and July 2, 1921; the adjudication of pension and compensation claims on account of the death of veterans; the adjudication of all emergency officers' retirement benefits; and the adjudication of claims of veterans and their dependents who reside in foreign countries. Central office is also responsible for the final consideration and disposition of appeals to the Administrator of Veterans' Affairs. These appeals involve pension, compensation, emergency officers' retirement benefits, Government insurance, adjusted compensation, death benefits of all kinds, incompetency, and mixed appeals, such as forfeiture of rights, recoveries, relationship, and so forth.

##### THE FIELD ORGANIZATION OF THE VETERANS' ADMINISTRATION

All of the following field stations are in charge of managers who are directly responsible to the Administrator of Veterans' Affairs. These stations are located throughout the United States and are classified as follows: Veterans' Administration regional offices, Veterans' Administration facilities having regional-office functions in addition to hospital and domiciliary activities, Veterans' Administration facilities having only hospital and domiciliary activities.

##### VETERANS' ADMINISTRATION REGIONAL OFFICES

The Veterans' Administration has 25 regional offices and 28 facilities having regional-office activities. The principal functions of regional offices, as regards veterans residing within their respective areas, are generally:

1. Contacts with and assistance to claimants and beneficiaries or their representatives in relation to all benefits provided by law and administered by Veterans' Administration facilities or regional offices in the field.

2. Preparation and adjudication of all claims for compensation, pension of veterans who served between April 6, 1917, and July 2, 1921, and for other benefits awardable by Veterans' Administration facilities or regional offices.

3. Guardianship activities, including the determination and certification and legality of the appointment of guardians or other fiduciaries.

4. Making of medical examinations of claimants and beneficiaries for benefits.

5. Rendering out-patient relief, including medical, surgical, and dental treatment, social work, and orthopedic and prosthetic appliances. The area assigned to each regional office and facility having the above functions is conditioned upon the service to be rendered and distribution of the veteran population.

The following is a list of cities in which Veterans' Administration regional offices are located, the street address, if any, and area assigned to each:

Baltimore, Md., Fort McHenry: Maryland.

Boston, Mass., post-office building: Massachusetts (with the exception of cities and towns in Bristol County, not including the towns of Mansfield and Easton; Dukes, Nantucket, Barnstable Counties; and the towns of Lakeville, Middleboro, Carver, Rochester, Mattapoisett, Marion, and Wareham in Plymouth County, which are allocated to the Providence regional office).

Burlington, Vt., 203 College Street: Vermont.

Charlotte, N. C., 212 South Tryon Street: North Carolina.  
Cincinnati, Ohio, 1015 Vine Street: The following counties in Ohio: Adams, Athens, Auglaize, Brown, Butler, Champaign, Clark, Clermont, Clinton, Darke, Delaware, Fairfield, Fayette, Franklin, Gallia, Greene, Guernsey, Hamilton, Hardin, Highland, Hocking, Jackson, Lawrence, Licking, Logan, Madison, Meigs, Mercer, Miami, Monroe, Montgomery, Morgan, Muskingum, Noble, Perry, Pickaway, Pike, Preble, Ross, Scioto, Shelby, Union, Van Wert, Vinton, Warren, Washington. The following counties in Kentucky: Boone, Campbell, Kenton. The following counties in Indiana: Dearborn, Franklin, Ohio, Ripley, Switzerland, Union.

Cleveland, Ohio, post-office building: The following counties in Ohio: Allen, Ashland, Ashtabula, Belmont, Carroll, Columbiana, Coshocton, Crawford, Cuyahoga, Defiance, Erie, Fulton, Geauga, Hancock, Harrison, Henry, Holmes, Huron, Jefferson, Knox, Lake, Lorain, Lucas, Mahoning, Marion, Medina, Morrow, Ottawa, Paulding, Portage, Putnam, Richland, Sandusky, Seneca, Stark, Summit, Trumbull, Tuscarawas, Wayne, Williams, Wood, Wyandot.

Dallas, Tex., Cotton Exchange Building: The following counties in Texas: Anderson, Andrews, Angelina, Archer, Bailey, Baylor, Borden, Bosque, Bowie—excluding the city of Texarkana in Bowie County, which is allocated to the Little Rock regional office—Brown, Callahan, Camp, Cass, Cherokee, Clay, Cochran, Coke, Coleman, Collin, Comanche, Concho, Cooke, Cottle, Coryell, Crane, Crosby, Dallas, Dawson, Delta, Denton, Dickens, Eastland, Ector, Ellis, Erath, Fannin, Fisher, Floyd, Foard, Franklin, Falls, Freestone, Gaines, Garza, Glasscock, Gayson, Gregg, Hale, Hamilton, Hardeman, Haskell, Harrison, Henderson, Hill, Hockley, Hood, Hopkins, Howard, Houston, Hunt, Irion, Jack, Johnson, Jones, Kaufman, Kent, King, Knox, Lamb, Lamar, Leon, Limestone, Loving, Lynn, Lubbock, Marion, Martin, McLennan, Midland, Mills, Mitchell, Montague, Morris, Motley, Nacogdoches, Navarro, Nolan, Palo Pinto, Panola, Parker, Rains, Reagan, Red River, Rockwall, Runnels, Rusk, Sabine, San Augustine, Scurry, Shackelford, Shelby, Smith, Somervell, Stephens, Sterling, Stonewall, Tarrant, Taylor, Terry, Throckmorton, Titus, Tom Green, Trinity, Upshur, Upton,



Van Zandt, Ward, Wichita, Wilbarger, Winkler, Wise, Wood, Yoakum, Young. Remainder of counties allocated to San Antonio-Oklahoma City-Albuquerque facilities.

Denver, Colo., Old Custom House: Colorado.

Detroit, Mich., Federal Building: Michigan.

Jackson, Miss., Federal Building: Mississippi.

Kansas City, Mo., 406 West Thirty-fourth Street: The following counties in Missouri: Andrew, Atchison, Barry, Barton, Bates, Benton, Buchanan, Caldwell, Carroll, Cass, Cedar, Chariton, Christian, Clay, Clinton, Dade, Dallas, Daviess, De Kalb, Douglas, Gentry, Greene, Grundy, Harrison, Henry, Hickory, Holt, Howell, Jackson, Jasper, Johnson, Lafayette, Lawrence, Linn, Livingston, McDonald, Mercer, Newton, Nodaway, Oregon, Ozark, Pettis, Platte, Polk, Putnam, Ray, Saline, St. Clair, Stone, Sullivan, Taney, Texas, Vernon, Webster, Worth, Wright. The remainder of the counties are allocated to the Jefferson Barracks facility. The following counties in Kansas: Atchison, Brown, Doniphan, Douglas, Jackson, Jefferson, Johnson, Leavenworth, Nemaha, Wyandotte.

Little Rock, Ark., Federal Building: Arkansas (plus the city of Texarkana, Tex.).

Louisville, Ky., Sixth Street and Broadway: Kentucky (excepting Boone, Campbell, and Kenton Counties, which are allocated to the Cincinnati regional office). The following counties in Indiana: Clark, Crawford, Dubois, Floyd, Harrison, Orange, Perry, Scott, Washington.

Manchester, N. H., Federal Building: New Hampshire.

Nashville, Tenn., Cotton States Building: Tennessee.

New Orleans, La., 333 St. Charles Street: Louisiana.

New York, N. Y., new parcel-post building: The following counties in New York: Albany, Bronx, Clinton, Columbia, Delaware, Dutchess, Essex, Franklin, Fulton, Greene, Hamilton, Kings, Montgomery, Nassau, New York, Orange, Otsego, Putnam, Queens, Rensselaer, Richmond, Rockland, Saratoga, Schenectady, Schoharie, Suffolk, Sullivan, Ulster, Warren, Washington, Westchester. The remainder of counties are allocated to the Batavia facility.

Oklahoma City, Okla., Federal building: Oklahoma and the following counties in Texas: Armstrong, Briscoe, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, Wheeler.

Philadelphia, Pa., new customhouse: The following counties in Pennsylvania: Adams, Bradford, Berks, Bucks, Cumberland, Chester, Columbia, Carbon, Dauphin, Delaware, Franklin, Fulton, Juniata, Luzerne, Lycoming, Lehigh, Lebanon, Lancaster, Lackawanna, Montour, Monroe, Montgomery, Northumberland, Northampton, Pike, Perry, Philadelphia, Sullivan, Schuylkill, Susquehanna, Snyder, Tioga, Union, Wyoming, Wayne, York, and the entire State of Delaware. Remainder of Pennsylvania is allocated to the Pittsburgh facility.

Phoenix, Ariz., 242 West Washington Street: Arizona.

Providence, R. I., 40 Fountain Street: Rhode Island and the following territory in Massachusetts: Cities and towns in Bristol County (not including the towns of Mansfield and Easton), Dukes, Nantucket, Barnstable Counties, and the towns of Lakeville, Middleboro, Carver, Rochester, Mattapoisett, Marion, and Wareham in Plymouth County.

Reno, Nev., Federal Building: Nevada, with the exception of the counties of Lincoln and Clark, which are allocated to the Los Angeles facility, and the following counties in California: Alpine, Lassen, Modoc, and Mono.

San Antonio, Tex., Smith-Young Tower: The following counties in Texas: Aransas, Atascosa, Austin, Bandera, Bastrop, Bee, Bell, Bexar, Blanco, Brazoria, Brazos, Brewster, Brooks, Burleson, Burnet, Caldwell, Calhoun, Cameron, Chambers, Colorado, Comal, Crockett, De Witt, Dimmit, Duval, Edwards, Fayette, Fort Bend, Frio, Galveston, Gillespie, Goliad, Gonzales, Grimes, Guadalupe, Hardin, Harris, Hays, Hidalgo, Jackson, Jasper, Jefferson, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kimble, Kinney, Kleberg, Lampasas, La Salle, Lavaca, Lee, Liberty, Live Oak, Llano, Madison, Mason, Matagorda, Maverick, McCulloch,

McMullen, Medina, Menard, Milam, Montgomery, Newton, Nueces, Orange, Pecos, Polk, Real, Refugio, Robertson, San Jacinto, San Patricio, San Saba, Schleicher, Starr, Sutton, Terrell, Travis, Tyler, Uvalde, Val Verde, Victoria, Walker, Waller, Washington, Webb, Wharton, Willacy, Williamson, Wilson, Zapata, and Zavalla. (Remainder of counties allocated to Dallas, Oklahoma City, Albuquerque offices.)

Seattle, Wash., Federal Office Building: Washington—with the exception of the following counties which are allocated to the Portland, Oreg., facility: Clarke, Cowlitz, Klickitat, Skamania, Wahkiakum—and the Territory of Alaska.

Sioux Falls, S. Dak., Federal building: South Dakota.

#### VETERANS' ADMINISTRATION FACILITIES HAVING REGIONAL OFFICE FUNCTIONS IN ADDITION TO HOSPITAL AND DOMICILIARY ACTIVITIES

The offices of the Veterans' Administration known as facilities furnish hospital, medical care, and treatment to veterans, and in addition perform the functions of regional offices as herein previously designated. Though limited domiciliary care may be given, those facilities marked asterisk (\*) also have major domiciliary activities; that is, are used as soldiers' homes.

The following is a list showing the cities in which Veterans' Administration facilities are located, indicating the area assigned to each for the purpose of regional-office functions:

Albuquerque, N. Mex.: New Mexico, and the following counties in Texas: Culberson, El Paso, Hudspeth, Jeff Davis, Presidio, Reeves.

Atlanta, Ga.: Georgia.

Batavia, N. Y.: Following counties in New York: Allegany, Broome, Cattaraugus, Cayuga, Chautauqua, Chemung, Chenango, Cortland, Erie, Genesee, Herkimer, Jefferson, Lewis, Livingston, Madison, Monroe, Niagara, Oneida, Onondaga, Ontario, Orleans, Oswego, Schuyler, Seneca, Steuben, St. Lawrence, Tioga, Tompkins, Wayne, Wyoming, Yates. (Remainder of counties allocated to New York City regional office.)

\* Bay Pines, Fla.: Florida.

Boise, Idaho: Idaho.

Cheyenne, Wyo.: Wyoming.

Columbia, S. C.: South Carolina.

Des Moines, Iowa: Iowa.

Fargo, N. Dak.: North Dakota.

Fort Harrison, Mont.: Montana.

Hines, Ill.: Illinois and the following counties in Indiana: Lake, La Porte, Porter.

Huntington, W. Va.: West Virginia, with the exception of the following counties, which are allocated to central office: Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton, and with the exception of the following counties, which are allocated to the Pittsburgh facility: Brooke, Hancock, Marshall, Ohio.

Indianapolis, Ind.: Indiana, with the exception of the following counties, allocated to the Louisville regional office: Clark, Crawford, Dubois, Floyd, Harrison, Orange, Perry, Scott, Washington, and with the exception of the following counties allocated to the Cincinnati regional office: Dearborn, Franklin, Ohio, Ripley, Switzerland, Union, and with the exception of the following counties allocated to the Hines Facility: Lake, La Porte, and Porter.

Jefferson Barracks, Mo.: The following counties in Missouri: Adair, Audrain, Bellinger, Boone, Butler, Callaway, Camden, Cape Girardeau, Carter, Clarke, Cole, Cooper, Crawford, Dent, Dunklin, Franklin, Gasconade, Howard, Iron, Jefferson, Knox, Laclede, Lewis, Lincoln, Macon, Madison, Maries, Marion, Miller, Mississippi, Moniteau, Monroe, Montgomery, Morgan, New Madrid, Osage, Pemiscott, Perry, Phelps, Pike, Pulaski, Ralls, Randolph, Reynolds, Ripley, Schuyler, Scotland, Scott, Shannon, Shelby, St. Charles, St. Francois, St. Louis, Ste. Genevieve, Stoddard, Warren, Washington, and Wayne. (Remainder of counties allocated to Kansas City regional office.)

Lincoln, Nebr.: Nebraska.

\* Los Angeles, Calif.: The following counties in California: Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara,



and Ventura; Remainder of counties allocated to San Francisco Facility and Reno regional office; and the following counties in Nevada: Lincoln and Clark.

Lyons, N. J.: New Jersey.

\* Milwaukee, Wis.: Wisconsin.

Minneapolis, Minn.: Minnesota.

Newington, Conn.: Connecticut.

Pittsburgh, Pa.: The following counties in Pennsylvania: Allegheny, Armstrong, Beaver, Bedford, Blair, Butler, Cambria, Cameron, Center, Clarion, Clearfield, Clinton, Crawford, Elk, Erie, Fayette, Forest, Green, Huntingdon, Indiana, Jefferson, Lawrence, McKean, Mifflin, Mercer, Potter, Somerset, Venango, Warren, Washington, Westmoreland. (Remainder of counties allocated to Philadelphia regional office.) Following counties in West Virginia: Brooke, Hancock, Ohio, Marshall.

Portland, Oreg.: Oregon, and the following counties in Washington: Clarke, Cowlitz, Klickitat, Skamania, Wahkiakum.

Roanoke, Va.: Virginia, with the exception of the following counties allocated to the central office: Arlington, Clark, Culpeper, Fairfax, Fauquier, Frederick, Greene, Loudoun, Madison, Page, Prince William, Rappahannock, Shenandoah, Stafford, Warren.

Salt Lake City, Utah: Utah.

\* San Francisco, Calif.: California—with the exception of the following counties allocated to the Los Angeles facility: Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Ventura; and with the exception of the following counties allocated to the Reno regional office: Alpine, Lassen, Modoc, Mono.

\* Togus, Maine: Maine.

Tuscaloosa, Ala.: Alabama.

Wichita, Kans.: Kansas, with the exception of the following counties allocated to the Kansas City regional office: Atchison, Brown, Doniphan, Douglas, Jackson, Jefferson, Johnson, Leavenworth, Nemaha, Wyandotte.

#### VETERANS' ADMINISTRATION FACILITIES HAVING ONLY HOSPITAL AND DOMICILIARY ACTIVITIES

These facilities furnish hospital, medical care, and treatment to veterans but do not perform the functions of a regional office. Though limited domiciliary care may be given, those facilities marked with an asterisk also have major domiciliary activities, that is, are soldiers' homes:

Alexandria, La.: American Lake, Wash.; Augusta, Ga.; \*Bath, N. Y.; Bedford, Mass.; \*Biloxi, Miss.; Bronx, N. Y.; Camp Custer, Mich.; Canandaigua, N. Y.; Castle Point, N. Y.; Chillicothe, Ohio; Coatesville, Pa.; Danville, Ill.; \*Dayton, Ohio; Dwight, Ill.; Excelsior Springs, Mo.; Fayetteville, Ark.; Fort Bayard, N. Mex.; Fort Lyon, Colo.; Gulfport, Miss.; \*Hot Springs, S. Dak.; Knoxville, Iowa; Lake City, Fla.; Legion, Tex.; Lexington, Ky.; Livermore, Calif.; Marion, Ind.; Memphis, Tenn.; \*Mountain Home, Tenn.; Muskogee, Okla.; Northampton, Mass.; North Chicago, Ill.; North Little Rock, Ark.; Northport, Long Island, N. Y.; Oteen, N. C.; Outwood, Ky.; Palo Alto, Calif.; Perry Point, Md.; \*Roseburg, Oreg.; Rutland Heights, Mass.; San Fernando, Calif.; Sheridan, Wyo.; St. Cloud, Minn.; Sunmount, N. Y.; Tucson, Ariz.; Tuskegee, Ala.; \*Wadsworth, Kans.; \*Kecoughtan, Va.; Waco, Tex.; Walla Walla, Wash.; Washington, D. C., 2650 Wisconsin Avenue; Whipple, Ariz.

The following area is allocated to the central office, Arlington Building, Washington, D. C., where duties similar to those of a regional office are performed for veterans residing in the area.

District of Columbia, plus the following counties in Virginia: Arlington, Clark, Culpeper, Fairfax, Fauquier, Frederick, Greene, Loudoun, Madison, Page, Prince William, Rappahannock, Shenandoah, Stafford, Warren; plus the following counties in West Virginia: Grant, Berkeley, Hampshire, Hardy, Jefferson, Mineral, Morgan, Pendleton; and the following Territory and insular possessions: Guam, Hawaii, Panama Canal Zone, Philippine Islands, Puerto Rico, Samoa, Virgin Islands; and all foreign countries.

## PART II

MONETARY BENEFITS AVAILABLE TO VETERANS AND THEIR DEPENDENTS, BASED UPON SERVICE IN THE ARMED FORCES OF THE UNITED STATES PRIOR TO APRIL 21, 1898

### SERVICE PRIOR TO THE CIVIL WAR

There are no beneficiaries of the Veterans' Administration, either veterans or dependents of the War of the Revolution surviving.

Since the beneficiaries of Federal pension, based upon service in the War of 1812 and the Mexican War, are comparatively few, due to the lapse of time since these conflicts, it is deemed unnecessary to include herein a description of the nature and extent of benefits granted to the dependents of persons who served in those wars. There are no veterans of these wars now living.

PENSION FOR DISEASES, WOUNDS, OR INJURIES INCURRED IN SERVICE PRIOR TO APRIL 21, 1898 (GENERAL LAW)

Veterans: Any officer or enlisted man of the Army, Navy, or Marine Corps of the United States, including regulars, volunteers, and militia, who served during the Civil War, or who served in any campaign against hostile Indians and under certain specified conditions, whether regularly mustered into the service or not, and any person who was regularly enlisted in the Army, Navy, or Marine Corps and discharged therefrom, whose service was not rendered during time of war, and who is disabled by reason of wounds or injuries received, or disease contracted, in the service and in line of duty, may be entitled to a pension, according to the degree of disability shown or, in the case of permanent specific disabilities, to the amounts fixed by law or under legal authority for these disabilities, as shown in the tables which follow:

### SERVICE-CONNECTED DISABILITIES

TABLE I.—Amounts payable for various degrees of disabilities

Degree disabled:	Per month
10 percent.....	\$6
15 percent.....	8
20 percent but less than 25 percent.....	10
25 percent but less than 35 percent.....	12
35 percent but less than 50 percent.....	14
50 percent but less than 75 percent.....	17
75 percent but less than 100 percent.....	24
100 percent (total disability).....	30

TABLE II.—Amounts payable for degrees of deafness

	Per month
Nearly total deafness of one ear.....	\$6
Total deafness of one ear.....	10
Slight deafness of both ears.....	6
Severe deafness of one ear and slight of other.....	10
Nearly total deafness of one ear and slight of other.....	15
Total deafness of one ear and slight of other.....	20
Severe deafness of both ears.....	22
Total deafness of one ear and severe of other.....	25
Deafness of both ears existing in a degree nearly total.....	27
Total deafness.....	40

TABLE III.—Amounts specified by law for certain disabilities

	Per month
Loss of sight of both eyes.....	\$125
Loss of both hands.....	100
Total disability of both hands.....	80
Loss of both feet.....	100
Total disability of both feet.....	80
Loss of one hand and one foot.....	100
Total disability in one hand and one foot.....	100
Loss of one hand or one foot and a portion of the other hand or foot.....	85
Loss of one hand or one foot.....	80
Total disability of one hand or one foot.....	80
Loss of both arms or both legs.....	125
Total disability of both arms or both legs.....	125
Loss of an arm at or above the elbow, or a leg at or above the knee.....	90
Total disability of arm or leg.....	90
Regular aid and attendance (first grade).....	72
Frequent and periodical aid and attendance (intermediate grade).....	50

\*For veterans of the Spanish-American War, Boxer Rebellion, and Philippine Insurrection, the amount is \$100.

TABLE IV.—Amounts for specific disabilities authorized by law

	Per month
Ankylosis of ankle.....	\$12
Ankylosis of wrist.....	12
Loss of sight of one eye.....	12
Loss of one eye.....	17
Loss of palm of hand and all the fingers, the thumb remaining.....	17
Loss of thumb, index, middle, and ring fingers.....	17



TABLE IV.—Amounts for specific disabilities authorized by law—Con.

	Per month
Loss of thumb, index, and middle fingers.....	\$17
Loss of thumb and little finger.....	15
Loss of thumb, index, and little fingers.....	17
Loss of thumb and index finger.....	15
Loss of thumb.....	12
Loss of thumb and metacarpal bone.....	15
Loss of all the fingers, thumb and palm remaining.....	17
Loss of index, middle, and ring fingers.....	17
Loss of middle, ring, and little fingers.....	15
Loss of index and middle fingers.....	12
Loss of little and middle fingers.....	12
Loss of little and ring fingers.....	10
Loss of ring and middle fingers.....	10
Loss of index and little fingers.....	10
Loss of index finger.....	6
Loss of all the toes of one foot.....	15
Loss of great, second, and third toes.....	12
Loss of great toe and metatarsal.....	12
Loss of great and second toes.....	12
Loss of great toe.....	8
Compart's amputation of foot, with good results.....	17
Pirogoff's modification of Syme's.....	17
Inguinal hernia which passes through the external ring.....	15
Inguinal hernia which does not pass through external ring.....	12
Double inguinal hernia, each of which passes through the external ring.....	17
Double inguinal hernia, one of which passes through the external ring and the other does not.....	15
Double inguinal hernia, neither of which passes through the external ring.....	12
Femoral hernia.....	15

Such pension is subject to reduction to \$15 per month when the veteran has neither wife, child, nor dependent parent and is in receipt of hospital, institutional, or domiciliary care from the Veterans' Administration.

Application for these benefits should be made on V. A. Form 5009 in the case of Civil War veterans, V. A. Form 5029 in the case of veterans of Indian wars, V. A. Form 526 in the case of peacetime veterans, and such applications should be sent to the Veterans' Administration, Washington, D. C.

WIDOWS, MINOR CHILDREN, AND DEPENDENT PARENTS OF VETERANS WHO DIED FROM DISEASE OR INJURY INCURRED IN SERVICE PRIOR TO APRIL 21, 1898

The widows, minor children, and certain dependent relatives of any person who served in the Army, Navy, or Marine Corps of the United States, who died in the service, or whose death resulted from disability incurred in the service in line of duty between March 4, 1861, and April 20, 1898, inclusive, regardless of character of discharge, may be entitled to a pension. The rate of payment ranges from \$12 to \$30 per month, depending upon the time the service was rendered and the rank of the veteran at the date he contracted his fatal disability, with \$2 for each of his children under the age of 16 or helpless. This pension is payable to the veteran's survivors in the following order of preference:

1. To the widow regardless of the date of her marriage to the veteran or her financial condition.
2. If there is no widow entitled to payment, then to the veteran's child or children under age of 16 or helpless.
3. If there is no widow or child entitled to take and the mother is without adequate means of support other than her own manual labor and the contributions of others not legally bound for her support, then to such dependent mother of the veteran.
4. If there is no widow, child, or mother entitled to payment, then to the father, except that his earnings are considered in determining whether he is dependent.
5. If there is no widow, child, mother, or father entitled to payment, then to the orphan brothers and sisters under 16 years of age.

Applications by widows should be made on V. A. Form 5016, and by children on V. A. Form 5018, and by dependent parents on V. A. Form 535, and the forms should be sent to the Veterans' Administration, Washington, D. C.

SERVICE PENSIONS (FOR NON-SERVICE-CONNECTED DISABILITY), CIVIL WAR VETERANS

The Civil War period extended from April 12, 1861, to August 20, 1866, but enlistments must have been prior to April 13, 1865, in the Army, or July 1, 1865, in the Navy, unless part of the veteran's service was rendered in a State consid-

ered disloyal or, in the case of naval service, in waters adjacent to such considered disloyal States.

Any veteran who served 90 days or more in the Army, Navy, or Marine Corps of the United States during the Civil War and was honorably discharged from all enlistments during that period, or who, having served less than 90 days, was discharged for a disability incurred in the service and in line of duty, may be entitled to a pension of \$75 per month. Any such veteran who is now or hereafter may become, by reason of age or physical or mental disability, helpless or blind, or so nearly helpless or blind as to require regular aid or attendance of another person, is entitled to a pension of \$100 per month.

Any veteran who was honorably discharged from his last enlistment in the service during the Civil War will be held to have been honorably discharged from all previous enlistments, provided the last contract of service was for not less than 6 months, and provided that his entire service during this last period was faithful and that he did not receive, by reason of this last enlistment, any bounty or gratuity other than from the United States in excess of what he would have been entitled to had he served faithfully through all previous periods of service during the Civil War. He may be entitled to pension in the amounts shown in the paragraph immediately preceding.

Any veteran who was not regularly mustered into the service of the United States but who served honorably for 90 days or more during the Civil War, in any of the organizations granted a pensionable status by special legislation, may be entitled to pension at the rates of \$75 or \$100 as the case may be. These organizations were: The Missouri State Militia, the Provisional Enrolled Missouri Militia, the Pennsylvania Emergency Militia, the First Regiment Ohio Light Artillery, Capt. David Beaty's company of Independent Tennessee Scouts, Capt. Goldman Bryson's company of North Carolina Mounted Volunteers.

Any woman who was employed by the Surgeon General of the Army as a nurse, under contract or otherwise, during the Civil War, or who was employed as a nurse during such period by duly recognized authority, and who rendered actual service as a nurse in any hospital of the Army of the United States for 6 months or more, and was honorably relieved of such service, may be entitled to a pension of \$50 per month.

Service pension for a Civil War veteran is subject to a reduction of \$25 monthly while he is in a State soldiers' home, or the United States Soldiers' Home, Washington, D. C., or while he has dependents and is in receipt of hospital, domiciliary, or institutional care from the Veterans' Administration. If he has no dependents and is receiving hospital, domiciliary, or institutional care from the Veterans' Administration his pension is reduced to \$15 a month. Service pension for Civil War veterans will commence from the date of filing claim with the Veterans' Administration which should be made on V. A. Form 3-026 and it should be sent to the Veterans' Administration, Washington, D. C. No formal claim is required for increased pension, it being sufficient for the veteran or someone acting in his behalf to file a request for the additional amount and to forward at the same time a statement from a physician showing the veteran's physical or mental condition.

WIDOWS AND MINOR CHILDREN OF CIVIL WAR VETERANS, SERVICE PENSION (FOR NON-SERVICE-CONNECTED DEATH OF THE VETERAN)

The widow and minor children of any person who served in the Army, Navy, or Marine Corps during the Civil War for 90 days or more, and was honorably discharged therefrom, or, regardless of the length of service, was discharged for or died in the service of a disability incurred in the service in line of duty, may be entitled to a pension.

The rate of pension is \$30 per month plus \$6 for each of the veteran's children under the age of 16. The pension is payable in the following order of preference:

1. To the widow, provided she was married to the veteran prior to June 27, 1905, and without regard to her financial condition.



2. If there is no widow entitled to pension, then to the veteran's child or children under the age of 16 or helpless.

The pension of a widow of such a veteran, who was the wife of the veteran during the period of his service in the Civil War, is \$50 per month regardless of her financial condition.

A widow who was married to a Civil War veteran prior to June 27, 1905, and has attained the age of 70 years, may be paid a pension of \$40 per month plus \$6 for each helpless child entitled to a pension.

The term "widow" of a Civil War veteran includes the widow of such a veteran who, having remarried once or more than once after the death of the veteran, can show that the subsequent remarriage or remarriages have been dissolved either by death of the husband or husbands or by a divorce on any ground except adultery on her part.

Application for pension by the widow of such a Civil War veteran should be made on V. A. Form 5022, but if the widow has remarried should be made on V. A. Form 3-012.

Application by the minor child or children of a Civil War veteran should be made on V. A. Form 3-010.

The executed application forms should be sent to the Veterans' Administration, Washington, D. C.

#### INDIAN-WAR VETERANS—PENSION FOR NON-SERVICE-CONTINUED DISABILITY

Any person who served for the duration of a campaign cited in the act of March 4, 1917, or who served 30 days or more in a military organization in any Indian war or campaign, or in connection with or in the zone of active hostilities in any of the States or Territories of the United States from January 1, 1817, to December 31, 1898, inclusive, and whose service was honorably terminated, may be entitled to a pension in the following amounts if it is shown he is suffering from mental or physical disabilities not the result of his own vicious habits which incapacitate him from the performance of manual labor:

	Per month
10-percent incapacitated.....	\$20
25-percent incapacitated.....	25
50-percent incapacitated.....	30
75-percent incapacitated.....	40
100-percent incapacitated.....	50

In lieu of this pension for disability the veteran may be entitled for age alone in the following amounts:

Upon reaching the age of—	Per month
62 years.....	\$20
68 years.....	30
72 years.....	40
75 years.....	50

Such payments to Indian-war veterans without dependents are subject to reduction to \$15 per month if the veteran is in receipt of hospital, institutional, or domiciliary care within a Veterans' Administration facility.

It is not necessary that an Indian-war veteran be regularly mustered into the service of the United States. If he was a member of a company organized under the authority of a State or Territory for the purpose of protecting life and property against Indian depredations and served at least 30 days, or for the duration of the particular campaign, he may be entitled to pension insofar as his service is concerned. V. A. Form 5029 is to be used in making application for original service pension for Indian-war veterans. A formal claim is not required for increase in pension. It is sufficient for the veteran to file his own statement, together with the statement of a physician showing his present physical or mental condition. Increase in pension by reason of age alone may be granted on a letter from the veteran inviting attention to his attainment of the requisite age, provided his date of birth has been previously established. All claims for service pension affecting Indian-war veterans should be sent to the Veterans' Administration, Washington, D. C.

#### WIDOWS AND MINOR CHILDREN OF INDIAN-WAR VETERANS; SERVICE PENSIONS (FOR NON-SERVICE-CONNECTED DEATH OF THE VETERAN)

The widow and minor children of any soldier who rendered 30 days' or more service in any military organization, whether regularly mustered into the service of the United States or

not, but whose service was under the authority or by the approval of the United States or any State or Territory in any Indian war or campaign, or in connection with or in the zone of any Indian hostilities in any of the States or Territories of the United States, from January 1, 1817, to December 31, 1898, inclusive, and who was honorably discharged or released under honorable conditions from such service, may be entitled to pension upon proof of the veteran's death without proving the death to be the result of his service.

The rate of pension is \$30 per month plus \$6 per month for each minor child under the age of 16 or helpless. The pension is payable in the following order of preference:

1. To the widow regardless of financial condition.

2. If there is no widow entitled to pension, then to the veteran's child or children under the age of 16.

The term "widow" means the person who was married to the veteran prior to March 4, 1917, and includes the widow of such a veteran who, having remarried once or more than once after the death of the veteran, can show that the subsequent remarriage or remarriages have been dissolved either by the death of the husband or husbands or by a divorce without fault on her part.

Application for pension by the widow of an Indian-war veteran should be made on V. A. Form 5030; application by a widow who remarried should be made on V. A. Form 3-031; application by a child or children should be made on V. A. Form 5031; all forms should be filed with the Veterans' Administration, Washington, D. C.

#### HELPLESS CHILD

In accordance with a law passed on June 27, 1890, and amended on May 9, 1900, pension may be continued on account of a minor child who is insane, idiotic, or otherwise physically or mentally helpless after it becomes 16 years of age, during the life of said child or during the period of such disability. This applies to all pensions granted under any statute before or after June 27, 1890, for service rendered between March 4, 1861, and April 20, 1898, inclusive. The helplessness of the child must have originated prior to attaining the age of 16 and must be shown prior to allowance. The pension so allowed commences from the date of filing a valid application therefor which may be filed by the next friend or guardian of the child. The rates of pension are the same as those allowed to minors under the various laws covering service during this period. V. A. Form 5025 should be used in making application and should be sent to the Veterans' Administration, Washington, D. C.

#### PART III

#### PENSION AND COMPENSATION AVAILABLE TO VETERANS AND THEIR DEPENDENTS BASED UPON SERVICE IN THE ARMED FORCES OF THE UNITED STATES ON OR AFTER APRIL 21, 1898

#### PENSION PAYABLE ON ACCOUNT OF DISABILITY OR DEATH INCURRED IN SERVICE DURING PEACETIME ENLISTMENT

Veterans: Under the act of March 20, 1933, and the Executive orders issued pursuant thereto any person who is disabled by reason of wounds or injuries incurred in or aggravated by active service and in line of duty, other than in time of war, may be entitled to pension if he was honorably discharged from such service. The amounts payable in such cases for the various degrees of disability are:

	Per month
10 percent disabled.....	\$6
20 percent disabled.....	9
30 percent disabled.....	13
40 percent disabled.....	18
50 percent disabled.....	22
60 percent disabled.....	27
70 percent disabled.....	31
80 percent disabled.....	36
90 percent disabled.....	40
Totally disabled.....	45

There are rates of benefits payable for certain specific disabilities, such as extensive anatomical loss or loss of use, helplessness, or blindness, and so forth, ranging as high as \$125 per month.

Federal employment at a salary or compensation in excess of \$1,000 per annum, computed monthly, for a single person



and of \$2,500 per annum, computed monthly, for a married person or a person with minor children bars the right to pension except (1) for injury received in combat with an enemy of the United States and (2) to those persons so employed who were receiving pension for directly service-connected disability on March 19, 1933, in which event \$6 per month is payable.

The pension is reduced to \$15 per month when the veteran has neither wife, child, nor dependent parent and is in receipt of hospital, institutional, or domiciliary care from the United States or any political subdivision thereof.

How to apply: The form to be used in making application for this benefit is V. A. Form 526, and if service began with an enlistment entered into after November 10, 1918, and prior to July 2, 1921, the claim should be filed with the appropriate field office having regional-office activities, depending for this benefit is V. A. Form 526, and if service began with upon the residence of the veteran making application. If enlistment was entered into at any other time subsequent to April 20, 1898, so as to constitute peacetime service, claims should be filed with the Veterans' Administration, Washington, D. C.

Dependents of peacetime veterans: The surviving widow, child or children, and dependent mother or father of any deceased veteran who died as the result of injury or disease incurred in or aggravated by active military or naval service as provided immediately above under the caption "Veterans", may receive pension at the monthly rates specified as follows:

Widow under 50 years of age, \$22.

Widow 50 years to 65 years of age, \$26.

Widow over 65 years of age, \$30.

Widow with one child, \$7 additional for such child up to 10 years of age, increased to \$11 from age 10 (with \$6 for each additional child up to 10 years of age, increased to \$9 from age 10).

No widow but one child, \$15.

No widow but two children, \$24 (equally divided).

No widow but three children, \$34 (equally divided) (with \$6 for each additional child; total amount to be equally divided).

Dependent mother or father, \$15; or both, \$11 each.

The total pension payable under this paragraph may not exceed \$56.

Where such benefits would otherwise exceed \$56 the amount of \$56 may be apportioned as the Administrator of Veterans' Affairs may prescribe.

However, the widow, as described immediately below, or the surviving widow of any person who died as a result of injury or disease incurred in or aggravated by active military or naval service or Coast Guard service in line of duty and who was, on March 20, 1933, being paid, except by fraud, mistake, or misrepresentation, a pension under the general or service pension laws existing prior to that date, at a rate in excess of the rate authorized herein, may be entitled until death or remarriage to be paid a pension at the rate authorized prior to March 20, 1933, under prior laws, provided it may not exceed \$30 per month.

For the purpose of this benefit the term "widow" of a peacetime veteran means a person who was married to the veteran prior to the expiration of 10 years subsequent to his discharge from the enlistment during which the injury or disease, on account of which claim is filed, was incurred.

The term "child" for the payment of benefits described herein means a legitimate child or a child legally adopted, unmarried, and under the age of 18 years, unless prior to reaching the age of 18 the child becomes permanently incapable of self-support by reason of mental or physical defect, except that the payment of pension may be further continued after the age of 18 years and until completion of education or training in an approved school, but not after such child reaches the age of 21 years.

In making application for this benefit, V. A. Form 534 should be used by widows or children and V. A. Form 535 should be used by parents, all such applications to be sent to the Veterans' Administration, Washington, D. C.

#### SPANISH-AMERICAN WAR

PENSION FOR VETERANS OF THE SPANISH-AMERICAN WAR, INCLUDING THE PHILIPPINE INSURRECTION AND BOXER REBELLION, FOR DISABILITY INCURRED DURING SUCH WAR SERVICE

Act of March 20, 1933

Under the act of March 20, 1933, and the Executive orders which followed it, veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, who were in the active service and honorably discharged, and including contract nurses, and who were disabled in the service or whose preexisting disabilities were aggravated by service, may be paid pension according to the degree of disability shown.

The rates range from \$10 to \$100 per month in 10 steps and there are special rates payable for certain specific disabilities, such as extensive anatomical loss or loss of use, helplessness, blindness, and so forth, ranging as high as \$250 per month. These disabilities are based as far as practicable upon the average impairments of earning capacity resulting from such disabilities in civil occupations. Advantages are extended to veterans of this class in making determinations of service connection in cases where proof of service connection is not possible when the circumstances in the individual case reasonably warrant that service connection may be presumed. Pension in these cases may not be paid for disability on account of a veteran's own misconduct.

Federal employment at a salary or compensation in excess of \$1,000 per annum computed monthly for a single person and of \$2,500 per annum computed monthly for a married person or a person with minor children bars the right to pension except (1) for an injury received in combat with an enemy of the United States or for disabilities resulting from an explosion of an instrumentality of war, and (2) to those persons so employed who were receiving pension on March 19, 1933, in which latter event \$6 per month is payable.

If a veteran has neither wife, child, nor dependent parent and receives hospital, institutional, or domiciliary care from the United States or a political subdivision thereof, the amount of pension is reduced to \$15 per month.

A Spanish-American War veteran in order to be entitled to service-connected benefits under the act of March 20, 1933, as described immediately above, must have served during one of the following periods:

Spanish-American War: An enlistment entered into or extending into the period beginning April 21, 1898, and ending August 12, 1898, both dates inclusive.

Philippine Insurrection: An enlistment entered into or extending into the period from August 13, 1898, to July 4, 1902, both dates inclusive, provided the person actually participated in the insurrection, or was en route thereto for the purpose of participating. In the event such persons served with the military forces engaged in hostilities in the Moro Province the termination date of the insurrection is extended to July 15, 1903.

Boxer Rebellion: An enlistment entered into or extending into the period from June 20, 1900, to May 12, 1901, both dates inclusive, provided the person actually participated in the rebellion.

Act of August 13, 1935

Under the laws reenacted by the act of August 13, 1935 (Public, No. 269, 74th Cong.), a veteran of the Spanish-American War, including the Philippine Insurrection and the Boxer Rebellion, may also be entitled to a pension (but not both at the same time) if he is disabled by reason of wounds or injuries received or disabilities contracted in the service in line of duty. The pension is payable according to the degree of disability shown or in the case of permanent specific disability is payable in the amounts fixed by law or otherwise for disabilities as shown in the tables.

Pension, under the law reenacted August 13, 1935, is not subject to reduction by reason of the veteran's employment by the Federal Government, as is the pension which is payable under the act of March 20, 1933, but is reduced to \$15 per month if the veteran has neither wife, child, nor dependent parent, and is furnished hospital, institutional, or domiciliary care by the Veterans' Administration.



Under the laws reenacted by the act of August 13, 1935, the periods of war service are as follows:

Spanish-American War: Period of the War with Spain was from April 21, 1898, to April 11, 1899, inclusive.

Philippine Insurrection: The Philippine Insurrection was from April 12, 1899, to July 4, 1902, inclusive, unless the person served in the Moro Province, in which event the termination date of the Philippine Insurrection is July 15, 1903. Participation in the insurrection is not required under this law.

Boxer Rebellion (China Relief Expedition): The period of the Boxer Rebellion was from June 16, 1900, to May 12, 1901, inclusive, provided the person actually participated therein.

Application for this pension should be made on V. A. Form 526 and sent to the Veterans' Administration, Washington, D. C.

DEPENDENTS OF SPANISH-AMERICAN WAR VETERANS, INCLUDING THE PHILIPPINE INSURRECTION AND BOXER REBELLION FOR DEATH ON ACCOUNT OF SUCH WAR SERVICE

*Act of March 20, 1933*

Under the provisions of the act of March 20, 1933, the surviving widow, child, or children, and dependent parents of a deceased veteran of the Spanish-American War, including the Philippine Insurrection and Boxer Rebellion, who died as the result of injury or disease incurred in or aggravated by active military, or naval service, may be entitled to receive pension at the monthly rates prescribed as follows:

Widow under 50 years of age, \$30.

Widow 50 years to 65 years of age, \$35.

Widow over 65 years of age, \$40.

Widow with one child, \$10 additional for such child up to 10 years of age, increased to \$15 from age 10 (with \$8 for each additional child up to 10 years of age, increased to \$13 from age 10).

No widow but one child, \$20.

No widow but two children, \$33 (equally divided).

No widow but three children, \$46 (equally divided) (with \$8 for each additional child; total amount to be equally divided).

Dependent mother or father, \$20 (or both, \$15 each).

The total pension payable under this law may not exceed \$75. Where such benefits exceed \$75 the amount of \$75 will be apportioned.

The term "widow" of a veteran of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection for the payment of benefit described herein means a person who was married to the veteran prior to September 1, 1922.

The term "child" for the payment of benefit described above means a legitimate child or a child legally adopted, unmarried, and under the age of 18 years, unless prior to reaching the age of 18 the child becomes permanently incapable of self-support by reason of mental or physical defect except that the payment of pension may further continue after the age of 18 years and until completion of education or training in an approved school but not after such child reaches the age of 21 years.

*Act of August 13, 1935*

Under the act of August 13, 1935 (Public, 269, 74th Cong.), all the pension laws in effect March 19, 1933, which granted pensions to veterans of the Spanish-American War, Philippine Insurrection, and the Boxer Rebellion, and their dependents, were reenacted in their entirety.

Under the general law or act of July 14, 1862, as amended and reenacted, the surviving widow, child, or children of dependent relatives of veterans of the Spanish-American War, Philippine Insurrection, or Boxer Rebellion who served between April 21, 1898, and July 4, 1902, both dates inclusive, may be paid a pension, providing the veteran died in the service or died from a disability incurred in the service in line of duty and regardless of the character of his discharge. The rate of payment ranges from \$12 to \$30 per month, depending upon the kind of services rendered and the rank of the veteran at the time he contracted his fatal disability, with \$2 for each of his children under the age of 16, which pension may be continued after age 16 to or for a helpless child. The minimum rate for the widow of a veteran of the Spanish-American War or Philippine Insurrection is \$25.

This pension is payable to the veterans' dependents in the following order of preference:

1. To the widow, regardless of the date of her marriage to the veteran or her financial condition.

2. If there is no widow entitled to payment, then to the veteran's child or children under age of 16 or helpless.

3. If there is no widow or child entitled to take and the mother is without adequate means of support other than her own manual labor and the contributions of others not legally bound for her support, then to such dependent mother of the veteran.

4. If there is no widow, child, or mother entitled to payment, then to the father, except that his earnings are considered in determining whether he is dependent.

5. If there is no widow, child, mother, or father entitled to payment, then to the orphan brothers and sisters under 16 years of age.

Under the act of May 1, 1926, as reenacted, the surviving widow and minor children of a veteran of the Spanish-American War, Philippine Insurrection, or Boxer Rebellion who died in the service of a disability incurred in line of duty may be entitled to a pension of \$30 per month plus \$6 additional for each minor child under 16 years of age.

How to apply: For service-connected death pension for widows and children of veterans of the Spanish-American War, including the Philippine Insurrection and Boxer Rebellion, application should be made by the use of V. A. Form 534 and for dependent parents V. A. Form 535, and should be filed with the Veterans' Administration, Washington, D. C.

PENSION FOR VETERANS OF THE SPANISH-AMERICAN WAR, INCLUDING PHILIPPINE INSURRECTION AND BOXER REBELLION, FOR DISABILITIES NOT INCURRED DURING SUCH WAR SERVICE

In addition to pensions payable for disability resulting from diseases or injuries incurred in or aggravated by service, veterans of the Spanish-American War, including the Philippine Insurrection and the Boxer Rebellion, may be entitled to pensions for disability resulting from diseases and injuries which cannot be shown to be due to their war service. Such veterans may be entitled to a pension under one of several acts of Congress.

*Act of March 20, 1933*

Under the act of March 20, 1933 (Public, No. 2, 73d Cong.), and the Executive orders which followed it, a pension of \$30 per month may be paid for permanent and total disability, providing the disability is not the result of the veteran's own misconduct and was not incurred in any period of military or naval service. To be eligible to this pension, the veteran must have served 90 days or more in the active military or naval service during the Spanish-American War, the Philippine Insurrection, or Boxer Rebellion, and must have been honorably discharged, or, having served less than 90 days, must have been discharged for disability incurred in the service in line of duty. He must be shown to have been in the active service before the cessation of hostilities.

If such a veteran is not permanently and totally disabled, but is 50 percent disabled, he may receive a pension of \$15 per month.

Any such veteran over 62 years of age may be entitled to receive a pension of not more than \$15 per month because of such age.

This pension is not payable if the disability is the result of the veteran's own misconduct, nor if his income, if unmarried, exceeds \$1,000, or if married or with minor children exceeds \$2,500, except that the \$15 pension to veterans over 62 years of age is payable irrespective of income.

If the veteran receives hospital, institutional, or domiciliary care from the United States or a political subdivision thereof, and has neither wife, child, nor dependent parent, this pension is reduced to \$6 per month.

*Act of August 13, 1935 (service pension)*

Under the act of August 13, 1935 (Public, 269, 74th Cong.), all the pension laws in effect March 19, 1933, which granted pensions to veterans of the Spanish-American War, Philippine Insurrection, and Boxer Rebellion were reenacted in their entirety, and under these laws such a veteran may be entitled to a pension for a disability resulting from diseases



or injuries not connected with his war service, or because of age. Under the laws reenacted by the act of August 13, 1935, the periods of war service are as shown herein.

Any person who served 90 days or more during such war, insurrection, or rebellion, and was honorably discharged from such service, or if he served less than 90 days and was discharged for disability incurred in the service in line of duty, may be paid a pension on account of disability or age. A pension may also be paid for disability or age to those persons who served 70 days or more but less than 90 days during such war, insurrection, or rebellion.

The rates of pension for disability not due to service are shown below:

Amount disabled	90 days or disability discharge	70 days
	Per month	Per month
$\frac{1}{16}$ .....	\$20	\$12
$\frac{1}{8}$ .....	25	15
$\frac{3}{16}$ .....	35	18
$\frac{1}{4}$ .....	50	24
Total.....	60	30

In lieu of pension for disability, the veteran may be entitled to a pension on account of age, payable at the following rates:

Age	90 days or disability discharge	70 days
	Per month	Per month
62 years.....	\$30	\$12
65 years.....	40	18
72 years.....	50	24
75 years.....	60	30

It is provided that if such a veteran, who served 90 days, or if he served less than 90 days, was discharged for disability incurred in service in line of duty, is so helpless, or blind, or so nearly so as to require the regular aid and attendance of another, \$72 per month is payable. If such a veteran served 70 days, but less than 90 days, \$50 per month is payable.

Disability because of misconduct of a veteran is not a bar to pension under this act.

Pension payable to all such persons is subject to reduction to \$6 per month when the veteran has neither wife, child, nor dependent parent, and is in receipt of hospital, institutional, or domiciliary care from the Veterans' Administration. Such pension is also subject to reduction to an amount not to exceed \$50 per month while the veteran is a member of the United States Soldiers' Home, Washington, D. C., Naval Home, Philadelphia, Pa., or of any State soldiers' home, even though the veteran has a wife, child, or dependent parent.

How to apply: Application for non-service-connected pension by veterans of the Spanish-American War, including the Philippine Insurrection and Boxer Rebellion, regardless of whether the pension is authorized by Public, No. 2 of the Seventy-third Congress, or Public, No. 269 of the Seventy-fourth Congress, as described herein, should be made on V. A. Form 526 if application has not already been made, and the claim should be forwarded to the Veterans' Administration, Washington, D. C.

DEPENDENTS OF SPANISH-AMERICAN WAR VETERANS INCLUDING PHILIPPINE INSURRECTION AND BOXER REBELLION WHOSE DEATH WAS NOT CAUSED BY SUCH WAR SERVICE

As is the case with veterans, the widows and children of veterans of the Spanish-American War, the Boxer Rebellion, and the Philippine Insurrection whose death did not result from diseases or injuries incurred or aggravated by military service may be entitled to a pension under the act of March 20, 1933, or under the pension acts which were reenacted by the act of August 13, 1935.

Act of March 20, 1933

Under the act of March 20, 1933, the surviving widow and children of any deceased person who served in the active military or naval service during the Spanish-American War,

Boxer Rebellion, or Philippine Insurrection may be entitled to a pension at the following rates:

Widow but no children, \$15 per month.

Widow and one child, \$20 per month (with \$3 monthly for each additional child).

No widow but one child, \$12 per month.

No widow but two children, \$15 (equally divided).

No widow but three children, \$20 (equally divided; with \$2 monthly for each additional child, total amount to be equally divided.)

The total pension payable cannot exceed \$27 monthly. Where such benefits would otherwise exceed \$27 monthly the amount of \$27 may be apportioned.

Act of August 13, 1935

Under the act of August 13, 1935, there was reenacted the act of May 1, 1926, Public, No. 166, Sixty-ninth Congress, under which widows and minor children under 16 years of age or helpless of a person who served in the Spanish-American War, Philippine Insurrection, or Boxer Rebellion may be entitled to a pension at the rate of \$30 per month, plus \$6 additional for each minor child under the age of 16, which pension may be continued after age 16 to or for a helpless child. The veteran must have served 90 days or have been discharged for disability contracted within service in line of duty within the following periods:

Spanish-American War: Period of the War with Spain was from April 21, 1898, to April 11, 1899, inclusive.

Philippine Insurrection: The Philippine Insurrection was from April 12, 1899, to July 4, 1902, inclusive.

Boxer Rebellion (China Relief Expedition): The period of the Boxer Rebellion was from June 16, 1900, to May 12, 1901, inclusive, provided the person actually participated therein.

The veteran must have been honorably discharged from all contracts of service during the period of the war, insurrection, or rebellion. No period of service rendered prior to April 21, 1898, nor subsequent to July 4, 1902, may be counted in computing the 90 days, nor can short periods of service in two or more designated periods be combined to create the 90 days required.

The term "widow" means a person who was married to the veteran prior to September 1, 1922, and includes such a widow who has been remarried once or more than once if her subsequent or successive marriage or marriages has or have been dissolved either by the death of the husband or husbands, or by divorce on any ground except adultery on the part of the wife.

In case of death, remarriage, or forfeiture of the pension by the widow, the child or children stand in the place of the widow and receive the full pension she would receive. The term "child" means a legitimate child under 16 years of age.

Use V. A. Form 534 and send it to the Veterans' Administration at Washington, D. C.

HALF PENSION PAYABLE TO WIFE OR CHILDREN OF A VETERAN

Under the act of March 3, 1899, which is among the laws reenacted on August 13, 1935, it is provided that one-half of the pension due any veteran, who is a resident of the United States, who served prior to April 21, 1898, or to any veteran of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection, may be paid to his wife or children under the following conditions:

1. If the veteran deserts his wife for more than 6 consecutive months and his wife is of good moral character and in necessitous circumstances, or if there is no wife entitled to this pension, deserts his legitimate child or children under 16 years of age or his permanently helpless and dependent child or children; or

2. If such a veteran enters the United States Soldiers' Home, the Naval Home, or a State home, one-half of his pension which accrues during his residence therein may be paid to his wife, she being a woman of good moral character and in necessitous circumstances, or to his children unless they are also in a home provided for wives and children of soldiers and sailors.

Applications should be made by the veteran's wife on V. A. Form 5015 and be accompanied by sufficient proof to establish



a prima-facie case of desertion and that the wife is of good moral character and in necessitous circumstances, and should be sent to the Veterans' Administration, Washington, D. C. Where there is no wife, the veteran's child or children should use V. A. Form 5014.

#### WORLD WAR

#### DISABILITY COMPENSATION FOR VETERANS OF THE WORLD WAR FOR DISABILITIES INCURRED IN OR AGGRAVATED BY SUCH WAR SERVICE

*Act of March 20, 1933*

Under the act of March 20, 1933 (Public, No. 2, 73d Cong.), a veteran of the World War whose disability was incurred in or aggravated by actual service and in line of duty, may be paid disability compensation according to the degree of disability shown. This disability compensation carries the same rates as those shown for Spanish-American War veterans, ranging from \$10 to \$250 per month, and payments thereof are subject to the same provisions with respect to Federal employment and the receipt of hospital, institutional, or domiciliary care from the United States or a political subdivision thereof.

To be entitled to disability compensation under this provision of law the veteran must have served during an enlistment or employment entered into or extending into the period from April 6, 1917, to November 11, 1918, inclusive, and have been honorably discharged. The disability must have occurred in or have been aggravated by service during such enlistment and prior to July 2, 1921, and must not have resulted from misconduct. For those who served in the military forces in Russia the terminating date of the World War period is extended to and includes April 1, 1920.

Draftees: Also entitled to disability compensation is any person who on or after April 6, 1917, and prior to November 12, 1918, applied for enlistment or enrollment in the active military or naval forces and who was provisionally accepted and directed or ordered to report to a place for final acceptance into such military service, or who on or after April 6, 1917, and prior to November 12, 1918, was drafted and after reporting pursuant to the call of his local draft board and prior to rejection, or who on or after April 6, 1917, and prior to November 12, 1918, after being called into the Federal service as a member of the National Guard but before being enrolled for the Federal service suffered an injury or disease in line of duty and not the result of his own misconduct. A draftee is one who was called but for some reason not accepted, and therefore did not receive a discharge from military service, only receiving a discharge from the draft.

*Act of March 28, 1934*

World War veterans may be entitled to compensation under the provisions of another act of Congress known as Public, No. 141, Seventy-third Congress, dated March 28, 1934, which reenacted many of the provisions of the World War Veterans' Act, 1924, as amended, which had been repealed by the act of March 20, 1933. Under the provisions of the act of March 28, 1934, rates range from \$8 to \$275 per month, and disabilities are evaluated as far as practicable upon the handicap the particular disability would cause to the average individual in the veteran's pre-war occupation. Under this act disability compensation is payable for temporary disabilities as well as for permanent disabilities, and many diseases causing disability which cannot be shown to be due to service under the provisions of the act of March 20, 1933, may be compensable through the reenactment of certain sections of the World War Veterans' Act—which presumed certain diseases shown to have existed to a 10-percent degree by January 1, 1925, for example, to be due to the person's military or naval service during the World War. This act also provides for the continuation of payments at the rates being paid on March 19, 1933, to those persons who were in receipt of disability compensation prior to the act of March 20, 1933, for directly service-connected disabilities, unless their disabilities were the result of their own misconduct and except where payments were being made because of fraud, misrepresentation of a material fact, or unmistakable error. This act also provides for the continuation of 75 percent of the rate being paid on March 19, 1933, to those whose disability is reestablished under the presumptive pro-

visions referred to above. The protection of the rates being paid March 19, 1933, does not apply where there is a change in physical condition.

Under this provision of law, however, Federal employment of the veteran does not result in reduction of the monthly rate of compensation, but the receipt of hospital, institutional, or domiciliary care from the United States or a political subdivision thereof causes a reduction to \$15 per month if the veteran has neither wife, child, nor dependent parent.

To be entitled under this act the veteran must have entered the active military service on or before November 11, 1918, unless the veteran served with the United States military forces in Russia prior to April 2, 1920, in which event he may have entered the active service after November 11, 1918.

How to apply: World War veterans should use V. A. Form 526 and send it to the proper field office of the Veterans' Administration.

#### DEATH COMPENSATION FOR WIDOWS, CHILDREN, AND DEPENDENT PARENTS OF WORLD WAR VETERANS WHOSE DEATH RESULTED FROM SERVICE

*Act of March 20, 1933*

Under the provisions of the act of March 20, 1933 (Public, No. 2, 73d Cong.), the surviving widow, child or children, and dependent parents of deceased veterans of the World War who died as a result of injury or disease incurred in or aggravated by active military or naval service are entitled to receive death compensation at the same rates prescribed for dependents of Spanish-American War veterans.

The term "widow" of a veteran of the World War means a person married to the veteran prior to July 3, 1931, and who has not remarried.

The definition of the term "child" likewise applies to children of a World War veteran.

The term "mother" or "father" means the natural mother or father of the veteran or the mother or father of the veteran through legal adoption.

*Act of March 28, 1934*

Under the provisions of the act of March 28, 1934 (Public, No. 141, 73d Cong.), payments being made to widows, children, and dependent parents of World War veterans prior to the passage of the act of March 20, 1933, are continued and protected, with the result that the surviving widow, child, and dependent parents who might not be entitled under the provisions of the act of March 20, 1933, continue to receive payments at the rates in effect March 19, 1933, which were:

1. If there is a widow but no children, \$30 per month.
2. If there is a widow and one child, \$40 per month (with \$6 per month for each additional child).
3. If there is no widow but one child, \$20 per month.
4. If there is no widow but two children, \$30 per month.
5. If there is no widow but three children, \$40 per month (with \$5 per month for each additional child).
6. If there is a dependent mother or dependent father, \$20 per month, or both, \$30 per month.

The amount payable cannot exceed the difference between the total amount payable to the widow and children, and the sum of \$75 per month, except when there is both a dependent mother and a dependent father, in which event the amount payable to them is not less than \$20 per month.

The definition of "child" applies to benefits payable under this provision of law.

The terms "mother" and "father" include stepmothers and stepfathers, mothers and fathers through adoption, and persons who have stood in the relationship of a parent for a period of not less than 1 year prior to the veteran's entrance into the service.

How to apply: Claims by widows and children should be made on V. A. Form 534 and claims by dependent parents on V. A. Form 535 and all such applications filed with the Veterans' Administration, Washington, D. C.

#### PENSION FOR VETERANS OF THE WORLD WAR FOR DISABILITIES NOT INCURRED IN OR AGGRAVATED BY WAR SERVICE

Any World War veteran who served in the active military or naval service for a period of 90 days or more and was honorably discharged or who having served less than 90 days was discharged for disability incurred in the service in line



of duty and who was in the service before November 11, 1918, or if he served with the United States military forces in Russia, was in the active military service prior to April 2, 1920, may be entitled to receive a pension of \$30 per month for permanent and total disability if not the result of his own misconduct and if not shown to have been incurred in any period of the military or naval service.

This pension is not payable if the veteran's income if unmarried exceeds \$1,000, or if married or with minor children exceeds \$2,500, and is reduced to \$6 per month when a veteran who has neither wife, child, nor dependent parent, is in receipt of hospital, institutional or domiciliary care from the United States or a political subdivision thereof.

Applications should be made on V. A. Form 526 and sent to the proper field office of the Veterans' Administration.

**COMPENSATION TO WIDOWS AND CHILDREN OF WORLD WAR VETERANS WHO DIED FROM DISABILITIES NOT INCURRED DURING THEIR WAR SERVICE**

*Act of June 28, 1934*

On June 28, 1934 (Public, No. 484, 73d Cong.), a law was passed which authorized the payment of compensation to the unmarried widow and children of a person who, while receiving monetary benefits for disabilities directly incurred in World War service, or has died from a disease or disability not service connected and not the result of the veteran's own misconduct.

Service must have been rendered after April 6, 1917, and prior to November 12, 1918, or if the veteran served in Russia, before April 2, 1920.

Such veteran must have been receiving or entitled to receive at the time of his death compensation or retirement pay for a disability directly incurred in or aggravated by service in the World War, rated to the extent of 30 percent or more.

No such widow or child is entitled to receive compensation during any year following a year for which not exempt from the payment of a Federal income tax.

The monthly rates of compensation for widows and children are as follows:

Widow with no children, \$22 per month.

Widow and one child, \$30 per month (with \$4 for each additional child).

No widow but one child, \$15 per month.

No widow but two children, \$22 (equally divided).

No widow but three children, \$30 (equally divided) (with \$3 for each additional child, total amount to be equally divided. The total compensation may not exceed \$56 per month).

Payments of this character commence from June 28, 1934, in all cases where the death of the veteran occurred prior to that date. In all other cases payment commences from the date of filing claim with the Veterans' Administration.

The widow must have been married to the veteran prior to July 3, 1931, and must not have remarried.

The term "child" means a person unmarried and under the age of 18, unless prior to reaching the age of 18 the child becomes or has become permanently incapable of self-support by reason of mental or physical defect, who is a legitimate child, a child legally adopted, a stepchild if a member of the man's household, an illegitimate child, but, as to the father only, if acknowledged in writing signed by him or if he has been judicially ordered or decreed to contribute to such child's support, or has been judicially decreed to be the putative father of such child. The payment of compensation may be continued after age 18, and until completion of education or training in an approved school but not after such child reaches the age of 21 years.

Application for this benefit should be made on V. A. Form 534 and sent to the Veterans' Administration, Washington, D. C.

**WHEN THERE IS ENTITLEMENT UNDER MORE THAN ONE LAW, THE LAW GRANTING THE GREATER BENEFIT IS APPLIED**

In the administration of the laws granting benefits to veterans of the armed forces of the United States and to their dependents, when such persons are entitled to benefits under more than one law the greater benefit is paid. For example, a widow of a Civil War veteran who was the wife of the

veteran while he was in the service during the Civil War and who lost his life during such service, may be entitled to \$30 or less per month as the widow of that deceased veteran, based upon the service-connected death. However, it has been pointed out that under ordinary conditions she would be entitled to \$50 per month service pension on the basis of non-service-connected death of the veteran. In such case she would be awarded the greater benefit. And again, a Spanish-American War veteran, meeting the requirements for a pension based upon non-service-connected disability under the provisions of the act of March 20, 1933, and the Executive orders which followed it, may be entitled to \$30 per month because of a permanent and total disability, but under the laws reenacted August 13, 1935, he may be entitled to \$72 per month, in which event the greater amount would be awarded.

**DISABLED EMERGENCY OFFICERS' RETIREMENT PAY**

On May 24, 1928, a law was enacted which provided, among other things, that all persons who have served as officers of the Army, Navy, or Marine Corps of the United States during the World War, other than as officers of the Regular Army, Navy, or Marine Corps, who during such service have incurred physical disability in line of duty, and who have been, or may within 1 year after passage of this act be rated in accordance with law at not less than 30-percent permanently disabled, for such disability, resulting directly from such war service, shall, from the date of the receipt of application, be placed upon, and thereafter continued on, a retired list at 75 percent of the pay to which they were entitled at the time of their discharge from their commissioned service, with certain exceptions. It was provided in that law that a claim for this benefit, in order to be valid, must have been made within 1 year from the date of the enactment of that law.

The act of March 20, 1933, repealed this law, but made provision for the continuation of the emergency officers' retirement pay under certain conditions, among which are the following: First, that such officer was employed in the active commissioned service between April 6, 1917, and November 11, 1918; second, that the disease or injury, or aggravation of the disease or injury, on account of which retirement benefits were being paid directly resulted from the performance of military or naval duty during such service; third, that such persons must otherwise meet the requirements of the Veterans' Regulations, issued under the provisions of the act of March 20, 1933.

**PART IV**

**HOSPITAL AND DOMICILIARY CARE AND OTHER BENEFITS**

**DOMICILIARY OR HOSPITAL CARE, INCLUDING MEDICAL TREATMENT**

The Veterans' Administration is authorized to furnish domiciliary or hospital care, including medical treatment, within the limits of its facilities, to persons who served in the armed forces of the United States and are in need of such care, and under the conditions hereinafter enumerated.

The term "its facilities", as used when referring to the granting of hospital or domiciliary care, means those facilities of the Veterans' Administration; those other Government institutions under contract with the Veterans' Administration; those private institutions under contract either for the care of veterans with certain service-connected disabilities, for the care of woman veterans of any war, or for the care of veterans in the United States, Territories, and possessions.

Admissions to Veterans' Administration facilities are granted the following classes of applicants in the specified order of preference:

(1) Hospital treatment for (a) veterans who served during the period of any war who are honorably discharged from their last period of war service and who are suffering with injuries or diseases incurred in or aggravated in line of duty in the active military or naval service and are in need of hospital treatment for such injuries or diseases; and (b) persons who on or after April 6, 1917, and prior to November 12, 1918, applied for enlistment or enrollment in the active military or naval forces and who were provisionally accepted and directed or ordered to report to a place for final acceptance into such military service, or who on or after April 6, 1917,



and prior to November 12, 1918, were drafted and after reporting pursuant to the call of the local draft board and prior to rejection, or who on or after April 6, 1917, and prior to November 12, 1918, after being called into the Federal service as members of the National Guard but before being enrolled for the Federal service suffered injury or disease in line of duty and not the result of their own misconduct, for which they are receiving disability compensation and for which they are in need of hospital treatment.

(2) Hospital treatment for persons who were honorably discharged from the United States Army, Navy, Marine Corps, or Coast Guard for disabilities incurred in line of duty, or are in receipt of pension for a service-connected disability, and who are suffering with injuries or diseases which were incurred or aggravated in the active service and are in need of hospital treatment for such injuries or diseases.

(3) Hospital or domiciliary care, including emergency or extensive hospital treatment, for veterans who served during a period of war who (a) have an honorable discharge from their last period of war service; (b) served in the active military or naval service for 90 days or more, or who, having so served for less than 90 days, were discharged for disability incurred in line of duty; (c) are suffering with a permanent disability, tuberculous or neuropsychiatric ailment, or such other conditions requiring emergency or extensive hospital treatment; and (d) are incapacitated from earning a living and have no adequate means of support.

(4) Hospital or domiciliary care, including emergency or extended hospital treatment, for persons honorably discharged from their last period of active military or naval service in the United States Army, Navy, or Marine Corps—or honorably discharged from their last period of service in the United States Coast Guard—for disability incurred in line of duty or who are in receipt of pension for service-connected disability; who are suffering with a permanent disability or tuberculous or neuropsychiatric ailment, or such other conditions requiring emergency or extensive hospital treatment; and who are incapacitated from earning a living and have no adequate means of support.

(5) Hospital or domiciliary care for veterans who served regardless of length of service during a period of war who (a) were not dishonorably discharged from their last period of war service; (b) swear that they are unable to defray the expenses of hospitalization or domiciliary care, including the expense of transportation to and from a Veterans' Administration facility; and (c) are suffering with a disability, disease, or defect which, being susceptible of cure or decided improvement, indicates need for hospital care, or which, being essentially chronic in type and not susceptible of cure or decided improvement by hospital care, is producing disablement of such degree and of such probable persistency as will incapacitate from earning a living for a prospective period, and thereby indicates need for domiciliary care.

(6) Hospital treatment for retired officers and enlisted men of the United States Army, Navy, Marine Corps, or Coast Guard—Regular Establishment—who served in a period of war and who are suffering with a disease or injury for which hospital treatment is needed. This class of persons can be furnished hospital treatment only in those facilities referred to. The term "period of war" means the Spanish-American War, Philippine Insurrection, or Boxer Rebellion, as defined on page 4215 hereof; the World War, as defined on page 4216 hereof, or any war prior to the Spanish-American War. (See "Retired Officers and Enlisted Men".)

Application for Domiciliary or Hospital Care (V. A. Form P-10) should be executed by the applicant or nearest relative, guardian, or representative and forwarded to the nearest Veterans' Administration facility. If the veteran is found to be eligible for admission he will be promptly notified, and if he cannot be admitted the veteran will be so informed and the reason stated.

#### TRANSPORTATION

Provided prior authority is granted by the Veterans' Administration, transportation may be supplied at Government expense to those applicants accepted for hospital treatment of service-connected diseases or injuries and to applicants

for hospitalization or domiciliary care, making a sworn statement on the application (V. A. Form P-10) that they are unable to defray transportation expenses. When such a veteran is regularly discharged from hospitalization or domiciliary care, return transportation to the place from which he entered the facility (or to some other point if no additional expense is included) may be supplied by the Veterans' Administration.

#### CLOTHING

Veterans who are receiving domiciliary or hospital care in Veterans' Administration facilities may be supplied with clothing at Government expense or may have it altered or repaired when both of the following conditions are met:

(1) When necessary for the protection of health or for sanitary reasons, and

(2) When the beneficiary is in receipt of less than \$10 per month from any source, or the manager of the facility previously authorizes the clothing, repairs, or alterations because of some special need in an individual case.

#### PROSTHETIC APPLIANCES

Artificial limbs and prosthetic appliances may be furnished during hospitalization under the following conditions:

(1) When the disability requiring an artificial limb or appliance is service-connected.

(2) When required as adjunct to a service-connected disability.

(3) When the condition for which hospitalized, itself requires a prosthetic appliance or is associated with another disease or injury necessitating such appliance.

When receiving domiciliary care, artificial limbs and orthopedic and prosthetic appliances, including necessary repairs and clothing made necessary by the wearing of such appliances, will be furnished when required as an incident to the care or treatment furnished.

#### RETIRED OFFICERS AND ENLISTED MEN

In accordance with the practice of hospitals of the United States Army and Navy, retired officers and enlisted men who are furnished hospital treatment by the Veterans' Administration will be charged a per diem rate for such treatment to cover the cost of subsistence. The rate per day is as follows:

When under treatment for tuberculosis, \$1.50 for retired officers and \$1 per day for retired enlisted men.

When receiving treatment for general medical or surgical disabilities or psychoses, \$1 per day for retired officers and 65 cents a day for retired enlisted men.

#### OUT-PATIENT TREATMENT

Veterans whose disabilities are connected with their military service may in addition to hospitalization and domiciliary care receive out-patient, medical, surgical, and dental services for their service-connected diseases or injuries. Treatment may be given at a Veterans' Administration facility or regional office, or be authorized to be given by a physician or dentist in the applicant's home community and, where necessary, treatment may be authorized at the applicant's place of residence.

No application form is required to secure treatment for a service-connected condition, but request for the treatment should be addressed to the appropriate field office of the Veterans' Administration.

Persons adjudged in need of and authorized to report for out-patient medical, surgical, or dental services may be furnished transportation and necessary meal and lodging requests.

#### BURIAL OF VETERANS WHO DIE WHILE RECEIVING DOMICILIARY OR HOSPITAL CARE

The bodies of beneficiaries who die while receiving domiciliary or hospital care in Veterans' Administration facilities may be transported at Government expense to the place of residence or to the nearest national cemetery or to such other place as the next of kin may direct where the expense so incurred is not greater than the ascertained cost of transportation to place of residence. When the ascertained cost of transportation to a place directed by the next of kin exceeds the cost to place of residence, the amount it would have cost to place of residence is available for reimbursement or partial payment. Burial in a national cemetery



may be permitted only when the deceased veteran was honorably discharged from his last period of military or naval service.

Exclusive of cost of transportation, the maximum allowance for burial and funeral expenses, including preparation of the body, is \$100. Not to exceed \$100 will be allowed for a local burial, including all necessary services; and not to exceed \$80 for the casket, embalming, and clothing will be allowed when the body is shipped. The remaining \$20 is available for secondary services and expense at the place of interment. If it is found impossible to secure the necessary services within the \$80 limitation, the central office in Washington may authorize an expenditure of a sum not to exceed \$100.

#### PAYMENT OF BURIAL EXPENSES OF DECEASED WAR VETERANS

For the purpose of paying burial, funeral, and transportation expenses incurred in behalf of deceased veterans, the term "veteran of any war" includes the following persons:

**Civil War:** An honorably discharged member of the active military or naval service of the United States who served during the Civil War subsequent to April 11, 1861, and prior to May 27, 1865, including those persons who served as members of State organizations participating in the Civil War, for whose services the State has been reimbursed by the United States Government, and including any person who, at the time of his death, was receiving a pension as a veteran of the Civil War.

**Indian Wars:** A veteran of any Indian War, or a person who, at the time of his death, was receiving a pension in accordance with the provisions of the laws governing the payment of a pension as a veteran of an Indian war.

**Spanish-American War:** An honorably discharged officer or enlisted man who was in the active military or naval service of the United States on or after April 21, 1898, and before August 13, 1898, including those women who served as Army nurses under contract during this period, and including any honorably discharged person who served in the military or naval service of the United States between August 13, 1898, and July 4, 1902, both dates inclusive, and who left the continental United States under orders for military or naval service in Guam, Cuba, or Puerto Rico between such dates.

**Philippine Insurrection:** An honorably discharged officer or enlisted man employed in the active military or naval service of the United States who actually participated in the Philippine Insurrection on or after August 13, 1898, and before July 5, 1902, including those women who served as nurses under contract during this period, except that if the person was serving in the United States military forces engaged in hostilities in the Moro Province the ending date is July 15, 1903.

**Boxer Rebellion:** An honorably discharged officer or enlisted man employed in the active military or naval service of the United States who actually participated in the Boxer Rebellion on or after June 20, 1900, and before May 13, 1901, including those women who served as Army nurses under contract.

**World War:** An honorably discharged officer, enlisted man, member of the Army Nurse Corps (female), Navy Nurse Corps (female), who was employed in the active military or naval service of the United States on or after April 6, 1917, and before November 12, 1918: *Provided, however,* That if the person was serving in the United States military forces in Russia the dates herein are extended to April 1, 1920.

When an honorably discharged veteran of any war or a veteran of any war in receipt of compensation or pension dies, the Veterans' Administration may pay for burial and funeral expenses and transportation of the body (including preparation of the body) to place of burial a sum not exceeding \$100, providing the veteran's net assets at the time of death, exclusive of debts and accrued pension, accrued compensation, or accrued insurance due at death, do not equal or exceed the sum of \$1000. No deduction will be made from the sum allowed because of any contribution toward the burial and funeral (including transportation) which is made by a State, county, or other political sub-

division, lodge, union, fraternal organization, society or beneficial organization, insurance company, workman's compensation commission, State industrial accident board, or employer, but the aggregate of the sums from all sources should not exceed the actual cost of the burial and funeral (including transportation).

No payment or reimbursement for burial, funeral, and transportation expenses can be allowed unless a claim therefor is filed within 1 year subsequent to the veteran's death and perfected within 6 months from the date the Veterans' Administration requests supporting evidence.

Claim for reimbursement of burial, funeral, and transportation expenses of deceased veterans should be made on V. A. Form P-91 and sent to the Veterans' Administration, Washington, D. C.

#### BURIAL FLAGS

Burial flags may be issued by any county-seat post office or field office of the Veterans' Administration on application made on V. A. Form 2008 by relatives or undertakers who desire to secure an American flag with which to drape the casket of an honorably discharged veteran, and afterward will be given to the next of kin. Flags will not be issued subsequent to the burial of the deceased except where circumstances rendered it impossible for relatives or the undertaker to secure a flag to drape the casket and then only to the widow, child, or parent. In such event full explanation must appear upon the application form 2008. Reimbursement will not be made for burial flags privately purchased by relatives, friends, or other parties, nor will flags be issued to undertakers, organizations, or individuals to replace flags loaned or donated by them.

#### INSURANCE

During the World War, in order to give every commissioned officer and enlisted man, including Army and Navy nurses, in the military or naval forces of the United States greater protection for themselves and their dependents, the United States upon application and without medical examination granted insurance against the death or total permanent disability of any such person in any multiple of \$500 and not less than \$1,000 or more than \$10,000. This insurance, known as yearly renewable term insurance, war-risk insurance, was taken by the vast majority of World War veterans. This insurance ceased on July 2, 1927, except when death or total and permanent disability had occurred before that date and in some few additional instances.

Officers and enlisted men now entering the active service under the War or Navy Department or Coast Guard are entitled to apply for insurance in multiples of \$500, not less than \$1,000 or more than \$10,000, within 120 days from date of enlistment or entrance into the active service and before retirement, discharge, or resignation. Reserve officers on active duty for 16 days or more may apply for Government life insurance within 120 days from entrance upon active duty and before release from such duty.

Total-disability insurance, providing for the payment of benefits in the event the insured is totally disabled as the result of disease or injury for a period of 4 consecutive months or more, may be included with any of the plans of insurance provided, upon application, proof of good health satisfactory to the Administrator of Veterans' Affairs, and the payment of the necessary premium. This additional insurance may also be included in policies now in force, and is independent of any disability clauses contained in such policies.

Veterans of the World War who served in the military and naval forces of the United States at any time from October 6, 1917, to July 2, 1921, who have heretofore applied or been eligible to apply for yearly renewable term—war-risk—insurance, or United States Government life—converted—insurance may now be granted insurance in multiples of \$500, not less than \$1,000 or more than \$10,000, upon application, proof of good health satisfactory to the Administrator of Veterans' Affairs, and payment of the required premium. The maximum amount of insurance available is \$10,000, including any amount now in force or previously surrendered for cash, or paid-up insurance.



If application is made for Government insurance within 120 days after the applicant enters the service, no medical examination is required. Veterans of the World War applying for Government insurance must undergo a complete medical examination. This applies also to all applicants for the total-disability insurance.

There are seven different plans of insurance provided by the Government: Ordinary life, 20- and 30-payment life, 20- and 30-year endowment, endowment at age 62, and 5-year level premium term insurance. The policies participate in dividends and the premiums are based on the net rate and do not include any extra charge to cover the cost of administration and no additional premium is charged for the total permanent disability benefits, which feature is not limited as to the age when total permanent disability may occur.

United States Government life insurance is free from restrictions as to residence, travel, occupation, military or naval service; further, an insured may designate any person, firm, corporation or legal entity as the beneficiary under his policy, either individually or as trustee.

There is no legal reserve level premium participating insurance, providing equal benefits with an equal guaranty of safety, offered at a premium rate as low as the Government rate.

Additional information and application forms may be obtained from the Veterans' Administration at Washington, D. C.

#### WORLD WAR ADJUSTED COMPENSATION WORLD WAR ADJUSTED-COMPENSATION ACT

Under the World War Adjusted Compensation Act any veteran, except as hereinafter indicated, who was a member of the military or naval forces of the United States, any time after April 5, 1917, and before November 12, 1918, who was honorably discharged, may be entitled to an adjusted-service certificate. The amount of the adjusted-service certificate is based upon the age of the veteran at the date of issuance and the amount of the adjusted-service credit. In computing the adjusted-service credit an allowance was made of \$1.25 for each day of overseas service, and \$1 for each day of home service in excess of 60 days in the military or naval forces of the United States after April 5, 1917, and before July 1, 1919, but the total amount of the credit of a veteran who performed no overseas service cannot exceed \$500 and the amount of credit for a veteran who performed any overseas service cannot exceed \$625. In computing the credit no allowance is made to any commissioned officer above the rank of captain in the Army or Marine Corps, lieutenant in the Navy, first lieutenant in the Coast Guard, or past assistant surgeon in the Public Health Service, or any person who received the pay or allowances of any officer superior in rank to any of such grades, or to any commissioned or warrant officer performing home service not with troops and receiving commutation of quarters or subsistence for the period of such service; or to members of the S. A. T. C., cadets of the United States Military or Coast Guard Academies, or midshipmen at the Naval Academy. The time granted individuals for farm furloughs and other purposes is not counted in computing the service credit.

Where the amount of the adjusted-service credit amounts to \$50 or less the veteran is entitled to receive that sum in adjusted-service pay, that is, cash. If the amount is greater than \$50 the veteran may receive an adjusted-service certificate.

Application for adjusted-service certificates or adjusted-service pay should be made to the Secretary of War or the Secretary of the Navy, depending upon the branch in which the veteran served, and should be made on or before January 2, 1940, on Form W. W. C. 1.

The adjusted-service certificates are essentially 20-year-endowment insurance policies, the face value of which is found by increasing the amount of the individual's adjusted-service credit by 25 percent and determining the amount of 20-year endowment insurance that amount would purchase at his age on the birthday nearest the date of the certificate if applied as a single net premium with interest of 4 percent compounded annually.

Upon the death of a veteran who has not applied for settlement under the Adjusted Compensation Payment Act, 1936, the beneficiary should apply to the Veterans' Administration for the proceeds of the certificate, using V. A. Form 582.

If a veteran died before making application for an adjusted-service certificate, or, if entitled to receive adjusted-service pay, has died after making application but before he has received payment of the adjusted-service pay, then the amount of his adjusted-service credit is payable in 10 equal quarterly installments to his dependents in the following order of preference:

1. To the unmarried widow, if otherwise entitled.
2. If no widow entitled to payment, then to the children under the age of 18 at the time of the veteran's death, or incapable of self-support by reason of mental or physical defect prior to January 2, 1940, share and share alike.
3. If no widow or children entitled to payment, then to the dependent mother.
4. If no widow, children, or mother entitled to payment, then to the dependent father.

No other person, not even a brother or sister, is eligible to receive it.

Application should be made to the Secretary of War or the Secretary of the Navy upon Form W. W. C. 1.

#### ADJUSTED COMPENSATION PAYMENT ACT, 1936

Under the act of January 27, 1936, veterans who have been issued adjusted-service certificates may exchange them for bonds of the United States in \$50 denominations with a value up to the face amount of their adjusted-service certificates, less any loans which have been made thereon and any interest on such loans up to October 1, 1931. Any unpaid interest which has accrued after October 1, 1931, is forgiven or canceled. No provision is made, however, for refunding any interest which has been paid. Odd amounts over and above the highest multiple of \$50 in the amount due on the certificate will be paid by check.

The United States bonds with which the adjusted-service certificates will be redeemed are not of the ordinary type, but have several unusual features which make them extremely valuable. They may be redeemed at any time at their face value, but if held for 1 year from the date of issue they may be redeemed at any time thereafter not only at their face value but, in addition, 3-percent interest annually. Thus, holders of these bonds are fully protected against any fluctuation in value. They are nontransferable, nonassignable, are not subject to attachment, levy, or seizure under any proceedings, and the veteran is assured of getting the money himself. No one can take these bonds from him.

Bonds will be dated June 15, 1936, and will run to June 15, 1945. Bonds will be redeemable by the United States Treasury at such places, including post offices, as the Secretary of the Treasury may designate.

Application for payment: Application for payment of adjusted-service certificates by these bonds should be made on V. A. Form 1701. Application forms are available throughout the country at the various offices of the Veterans' Administration and at posts or other comparable units of the various service organizations. Applications for exchanging the adjusted-service certificates for bonds may be filed anytime prior to the date of the maturity of the certificate, but if the veteran has not applied for the certificate his application must be made before January 2, 1940.

Veterans who have loans outstanding against their certificates should send their applications to the office from which the outstanding loan was made. Veterans who have made loans from banks should send their applications to the Veterans' Administration, Washington, D. C. Veterans who have no outstanding loans upon their certificates should send their applications, together with certificates, to the Veterans' Administration regional office or facility with regional office activities nearest the place of their residence. Veterans who are mentally incompetent should have the application made in their behalf by a legally authorized representative.

If a veteran dies after he has made out application (form 1701) for payment of his adjusted-service certificate but



before the application has been filed, the application may be filed by any person, and if it is filed before payment is made to the beneficiary named in the adjusted-service certificate, it will constitute a valid application for payment in bonds.

If a veteran dies after he has made and filed his application (form 1701), payment will not be made to the beneficiary named in the adjusted-service certificate but will be made to the estate of the veteran.

The veteran who has not applied for an adjusted-service certificate and who desires to obtain settlement under the Adjusted Compensation Payment Act, 1936, with payment in Government bonds, should use application Form WWC 1 and send it to the War or Navy Departments, Washington, D. C., depending upon whether he served in the Army or Navy. He should take no further action until he is informed by the War or Navy Department or the Veterans' Administration of the action taken on his application.

If the veteran is entitled to an adjusted-service certificate, it will be mailed to him by the Veterans' Administration, and if the veteran desires to obtain the bonds, he should properly execute application form 1701, attach the certificate to the application, and forward both to the office of the Veterans' Administration facility having regional office activities, nearest the place of his residence.

When the veteran has a guardian, custodian, or conservator, and it is desired to apply for settlement, the fingerprints of the veteran must be placed upon the application (form 1701) when this is possible. The fingerprints of the guardian or other representative of the veteran would be of no value in establishing the veteran's identity.

Exemption from attachment, etc.: A sum payable under the Adjusted-Compensation Act, or the Adjusted Compensation Payment Act, 1936, the proceeds of any loan, and the bonds received in settlement of an adjusted-service certificate are not subject to attachment, levy, or seizure, or to National or State taxation, and are exempt from the claims of creditors.

#### PENSION OR COMPENSATION FOR DISABILITY OR DEATH RESULTING FROM TRAINING, HOSPITALIZATION OR MEDICAL OR SURGICAL TREATMENT

Where any veteran is suffering or has suffered from an injury or the aggravation of any existing injury as the result of training, hospitalization, or medical or surgical treatment or as the result of having submitted to an examination under authority of the War Risk Insurance Act, or the World War Veterans' Act, 1924, as amended, and not the result of his own misconduct, he may be awarded compensation or pension in the same manner as if such disability, aggravation, or death was connected with his military service.

Application for benefits under this paragraph must be made on V. A. Form 526a within 2 years after the injury, aggravation, or death occurred, or within 2 years after March 28, 1934, whichever is the later date.

#### COMPENSATION, PENSION, OR RETIREMENT PAY DUE AND UNPAID AT DEATH

When any person receiving compensation, pension, or emergency officers' retirement pay dies, the balance not paid during his or her lifetime may be paid by the Veterans' Administration:

(1) Upon the death of a veteran, to the widow, and if there is no widow then to the child or children under the age of 18 at his death, except when the payments were being made under laws reenacted on August 13, 1935, by Public No. 269, Seventy-fourth Congress, or to a person who was receiving pension on account of service rendered prior to April 21, 1898.

(2) Upon the death of a widow, to her children under the age of 18 at her death, unless the payments were being made under laws reenacted on August 13, 1935, by Public No. 269, Seventy-fourth Congress, or to a person who was receiving pension on account of service rendered prior to April 21, 1898, in which event the balance is payable to the child or children under the age of 16, or unless payments were being made under Public No. 484, Seventy-fourth Congress, dated June 28, 1934.

(3) Upon the death of a person receiving an apportioned share of money payable to a veteran, to the veteran.

(4) If there are no survivors as indicated above, no payment may be made except as reimbursement of burial expenses and in some cases as reimbursement of expenses incurred during the last illness and burial.

Claims and evidence in support of claims for amounts due under any laws reenacted on August 13, 1935, or on account of service rendered prior to April 21, 1898, may be filed at any time, but claims other than these must be filed within 1 year from the death of the person entitled and evidence in support of such claims must be submitted within 6 months after the Veterans' Administration requests it. Claims filed under laws reenacted on August 13, 1935, or based upon service prior to April 21, 1898, which were pending at the time of death, may be completed and any amounts due thereunder paid as accrued pension. Additional information and application forms may be obtained from the Veterans' Administration, Washington, D. C.

#### APPEALS

Claimants may appeal from a decision rendered in any claim (except in those claims involving simultaneously contested claims) within 1 year from the date of the mailing of the notice of the result of the initial review or determination. Appeals, or application for review, as they are known, must be filed with the office which made the denial. If no application for review or appeal is filed within 1 year, the action taken on the initial review or determination will become final and the claim will not thereafter be reopened except upon the basis of new and material evidence. When a veteran appeals he is allowed 1 year for the perfection of his appeal. Any application for review on appeal filed with the office which made the denial and which is postmarked prior to the expiration of the 1-year period will be accepted as having been filed within the time limit.

In simultaneously contested claims (e. g., where husband or wife contends that desertion has or has not occurred) where one is allowed and one rejected, the time allowed for filing application is 60 days instead of 1 year from the date of mailing notice. In such cases all parties other than the applicant, whose interest may be adversely affected by the decision will be notified and allowed 30 days from the date of the mailing of such notice within which to file a brief or argument in answer thereto.

Application for review on appeal must be made in writing by the claimant, his legal guardian, or such accredited representative or authorized agent as may be selected by him, but not more than one recognized organization or agent will be recognized at any one time in the prosecution of a claim. The application must clearly identify the benefits sought and should contain specific assignments of the alleged statements of facts or errors of law in the adjudication of the claim.

#### EVIDENCE—PROOF OF RELATIONSHIP, DEATH, ETC.

As a prerequisite to the obtaining of benefits under laws pertaining to veterans and their dependents a proper application or claim must be filed with the Veterans' Administration unless otherwise provided. All questions on the application form must be clearly and completely answered. If the answer is not known, the applicant should so state, and if more space is required, blank paper should be used and attached to the application form. Accompanying the form should be a copy of the veteran's discharge and any affidavits or other papers necessary by reason of the nature of the claim made.

Proof of marriage: Proof of marriage should be shown by the best evidence obtainable, as stated below in the order of importance:

1. By duly certified copy of the public or church record of marriage; or
2. If not obtainable, a statement of the reason for the non-production and the affidavit of the clergyman or magistrate who officiated; or
3. If such affidavit is not procurable, by the production of the original marriage certificate accompanied by proof of its genuineness and the authority of the person to perform the marriage; or
4. By the affidavit of two or more eye witnesses to the ceremony.



In jurisdictions where common-law marriages are recognized, proof may be made by affidavit of one or both parties to the marriage, if living, supplemented by affidavits of two or more witnesses who know that the parties lived together as husband and wife and were so recognized, and stating how long to their knowledge such relationship continued, and so forth. Since the laws of the State in which the marriage was consummated governs, all marriages must be proved valid according to the law of such State.

**Proof of birth:** To prove the birth or date of birth of an individual, a certified copy of the public record of birth or church record of baptism, certified to by the legal custodian of such records, should be obtained. If neither of these records is obtainable, the reason for its nonproduction should be stated and an affidavit secured from the physician or midwife in attendance at the birth, or the affidavits of two or more disinterested persons who should state their ages, and the name, date, and place of birth of the person whose birth or age is being established, and that from their own knowledge the person is the child of such parents, naming the parents.

**Proof of death:** Proof of death should be established by producing:

A copy of the public record of the State or community in which death occurred, certified to by the custodian of such records or by a duly certified copy of a coroner's report of death, or by verdict of a coroner's jury of the State or community where death occurred, provided such report properly identifies the deceased. If this evidence is not obtainable, the reason must be stated. The fact of death may be established by the affidavit of a person having personal knowledge thereof and who viewed the body of the deceased and knew it to be the body of the person whose identity is being established, setting forth all the facts and circumstances concerning the death, including the place, date, time, and cause thereof.

In adjusted-compensation cases and pension where the cause of death is not a factor, and where satisfactory evidence is produced establishing the fact of the continued and unexplained absence from his home and family for a period of 7 years during which period no intelligence of his existence has been received, the death of such individual as of the date of the expiration of such period may be accepted as sufficiently proved.

**Affidavits:** To be of value an affidavit should clearly and concisely set forth the facts sought to be proved. The use of legal headings and phraseology should be avoided unless prepared by an attorney. If the affiant is a layman, have him set forth the facts as simply as possible, in chronological order, and with due regard to any necessary details. All affidavits from physicians should state whether the evidence is furnished from office records or from memory. Such affidavits should specifically show the symptoms and findings rather than merely a diagnosis, since the former are facts and the diagnosis is an opinion.

**Foreign affidavits:** Affidavits or other documents from foreign countries in which the United States has consular representatives must be executed before a United States consular officer in that country or by or before an official of that country having authority for that purpose. In the event the execution is by or before a foreign officer, the signature of that official must be authenticated either by the United States consular officer in that jurisdiction or by the Department of State, except that documents submitted through and approved by the Deputy Minister of Pensions and National Health, Ottawa, Canada, will be accepted without being authenticated in such manner.

Where there is no consular representative, the signature and seal of the official of the country may be authenticated by a diplomatic or consular officer of a friendly country, or the documents may be forwarded to the nearest American consul for a certificate concerning its authenticity.

#### GUARDIANSHIP

Guardianship is necessary:

1. When a Veterans' Administration beneficiary is under legal disability. In some instances when the sum payable is small and when family conditions are acceptable, arrange-

ments may be made for payment of monetary benefits to a custodian.

2. When the veteran or other beneficiary is mentally incompetent the appropriate field office of the Veterans' Administration will furnish full instructions to interested relatives or friends in the event a guardian is needed.

#### DISCLOSURE OF INFORMATION

All files, records, reports, and other papers and documents pertaining to any claim are confidential and no disclosures thereof can be made except:

1. To a claimant or duly authorized representative as to matters concerning himself alone when such disclosures would not be injurious to the physical or mental health of the claimant;

2. When required by process of a United States court to be produced in any suit or procedure;

3. When required by any agency of the United States Government;

4. In all proceedings in the nature of an inquest into the mental competency of a claimant;

5. In any judicial proceedings where such disclosure is deemed necessary and proper.

The amount of pension or compensation being paid may be made known to any person who applies for such information.

The address of a claimant is privileged and confidential and will not be disclosed except to duly constituted police or court officials upon proper request and the submission of a certified copy either of the indictment returned against the claimant or of the warrant issued for his arrest.

#### COPIES OF RECORDS

Any person entitled to and desiring a copy of any record in the custody of the Veterans' Administration should make written application to the Veterans' Administration office where the record is located, stating specifically the particular record, paper, and so forth, a copy of which is desired, whether certified or uncertified, and the purpose for which such copy is desired to be used. The approximate cost of such copies must accompany the application. The fees charged are:

	Cents
Written copies per 100 words.....	25
Photostat copies per sheet.....	25
Certifications.....	25

#### RECOGNITION OF ATTORNEYS, AGENTS, AND ORGANIZATIONS IN THE PRESENTATION OF CLAIMS

The Administrator is authorized to recognize representatives of the American Red Cross, the American Legion, the Disabled American Veterans of the World War, the Grand Army of the Republic, the United States Spanish War Veterans, Veterans of Foreign Wars, and such other organizations as he may from time to time approve to present claims. Any organization desiring recognition must agree and certify that neither the organization nor its representatives will charge a claimant any fee or compensation for its services. The organization must submit a copy of its constitution or charter and bylaws, together with a written statement setting forth the manner in which ex-service men and their dependents would be benefited by such recognition.

The form of application for recognition is V. A. Form P-21.

Before an organization may be recognized in an individual claim there must be filed with the Veterans' Administration a form duly executed by the claimant and specifically conferring upon the organization the authority to represent the claimant in the presentation of the claim and to receive any information in connection therewith. The form used for this purpose is V. A. Form P-22.

The organizations recognized in the presentation of claims make no charge for their services and do not limit their assistance to their members. The Veterans' Administration in its central office and in its regional offices and facilities throughout the country employs skilled persons whose duties are to assist claimants in the preparation and presentation of their claims. While it has long been recognized that a claimant should not be denied the right to employ his own attorney or agent to assist him, and while the laws and Veterans' Regulations provide for the payment of fees under certain limita-



tions, it is not necessary for any person to incur any expense for services in the preparation and presentation of claims under laws administered by the Veterans' Administration.

Any person who is an attorney at law in good standing, or any competent person who is not an attorney at law, may, if not prohibited by law, be admitted to practice as a pension attorney or pension-claims agent, respectively, provided he is a citizen of the United States or has declared his intention to become a citizen and is of good moral character and in good repute. Before any person admitted to practice as an attorney or agent can represent a claimant there must be filed with the Veterans' Administration a duly executed power of attorney.

The power of attorney must be signed by the claimant or his guardian in the presence of two witnesses, neither of whom is the agent or attorney, and be acknowledged before an officer duly authorized to administer oaths for general purposes. No paper in a claim can be executed before the attorney therein without resulting in the forfeiture of the attorneyship rights.

Relatives or friends of a claimant may, at the written request of the claimant, be recognized to represent gratuitously the claimant in a specified case.

#### BENEFITS NOT SUBJECT TO TAXATION OR SEIZURE, ACT OF AUGUST 12, 1935

Payments of benefits due or to become due are not assignable, and such payments made to, or on account of, a beneficiary under any of the laws relating to veterans are exempt from taxation, are exempt from the claims of creditors, and are not liable to attachment, levy, or seizure by or under any legal or equitable process whatever, either before or after receipt by the beneficiary. This provision does not attach to claims of the United States, nor does the exemption as to taxation extend to any property purchased in part or wholly out of such payments. This act does not prohibit the assignment by any person, to whom converted insurance may be payable under title III of the World War Veterans' Act, 1924, of his interest in such insurance to any other member of the permitted class of beneficiaries.

#### PART V

#### INFORMATION CONCERNING VETERANS' PREFERENCE TO FEDERAL CIVIL SERVICE EMPLOYMENT, BURIAL IN NATIONAL CEMETERIES, HEADSTONES, AND BENEFITS GIVEN BY STATES

##### VETERANS' PREFERENCE FOR FEDERAL CIVIL SERVICE EMPLOYMENT

Preference, according to present laws and Executive orders governing, does not apply to the unclassified service but only to the classified. Preference is granted in connection with unclassified laborer positions where labor regulations apply, but under special regulations approved by the President, and preference is granted by Executive order of July 12, 1933, to persons taking examinations for Presidential postmasterships, which positions also are not in the classified service.

Preference, according to present laws and orders, is not limited to veterans, their widows, or the wives of disabled veterans of any war or because of wartime service. Preference is also granted to all veterans, including peacetime veterans, their widows, and the wives of veterans disabled because of service-connected disabilities.

##### *Preference in examination, rating, and appointment*

The statutory provision is covered in the deficiency act approved July 11, 1919 (41 Stat. 37), which provides as follows:

That hereafter in making appointments to clerical and other positions in the executive branch of the Government in the District of Columbia or elsewhere, preference shall be given to honorably discharged soldiers, sailors, and marines, and widows of such, and to the wives of injured soldiers, sailors, and marines, who themselves are not qualified but whose wives are qualified to hold such positions.

The Executive orders of March 3, 1923, March 2, 1929, April 24, 1931, and January 18, 1932, stipulate and define benefits granted to veterans pursuant to the act of July 11, 1919. The benefits are as follows:

(1) Veterans are given five points in addition to their earned rating and need only earn a rating of 65, the five points giving them a total rating of 70, all that is necessary to have their names entered on the register.

(2) Disabled veterans (having present existence of a service-connected disability), the widows of veterans, and the wives of veterans who because of service-connected disability are themselves not qualified, are granted 10 points and need only earn a rating of 60, a total rating of 70 being all that is necessary to have their names entered on the register, their names being placed above all others on the register.

(3) A veteran to establish disability preference must show that it is service-connected and of present existence. This is done through the official records of the Veterans' Administration and also of the War or Navy Department or of the Coast Guard.

(4) Veterans over 55 years of age in claiming disability preference, whether service-connected or not by reason that they draw pension or compensation under existing laws, must furnish a statement from the Veterans' Administration showing that they are entitled to pension or compensation. Wives of such veterans who claim preference due to their husband's disability must furnish such evidence.

(5) In examinations where experience is an element of qualification, time spent in the service of the United States during the War with Spain or the World War is credited where the applicant's actual employment in a similar vocation to that for which he is applying was interrupted by such military or naval service but was resumed after discharge.

(6) Persons granted preference may be released from age limitations by regulations of the United States Civil Service Commission with the approval of the proper appointing officer, except for positions of policeman and fireman of the District of Columbia and those established by the retirement law.

(7) Physical requirements may be waived by the United States Civil Service Commission in the case of a disabled veteran.

(8) Height and weight requirements may be waived in the case of a person granted preference, except for policeman, guard, and watchman, private in the District of Columbia fire department, game warden, traveling hospital attendant, assistant lay inspector, and any other position in connection with which the examination announcement specifies the height or weight, or both.

(9) Persons granted preference are certified without regard to apportionment in the apportioned departmental service at Washington, D. C.

(10) Quarterly examinations are held for the benefit of persons entitled to 10-point preference (disability preference), for which there are existing registers of eligibles, maintained by the United States Civil Service Commission, the names of these 10-point preference eligibles being entered at the head of the existing registers along with those of other such eligibles. This does not apply to examinations for Presidential postmasterships.

(11) The name of a preference eligible on a register may not be passed over by the appointing officer and a person not granted preference selected with the same or lower rating unless the United States Civil Service Commission is furnished with a statement as to reasons for so doing.

(12) Former classified employees entitled to preference in appointment may be reinstated without time limit.

NOTE.—(a) According to special regulations approved by the President, the names of veterans, their widows, and wives of veterans disqualified by injuries received in service and line of duty are placed at the head of unskilled-labor registers in the order of their earned ratings. Eligibility for reinstatement to an unskilled-laborer position is without time limit in the case of a person entitled to preference.

(b) The Executive order of July 12, 1933, which authorized the holding of examinations for Presidential postmasterships grants five points for addition to earned ratings, whereupon certification is in accordance with relative standing thus acquired, in the cases of veterans of the World War, of the Spanish American War, or of the Philippine Insurrection; age limitations are waived for such candidates, and the time they were in service during such wars may be reckoned in making up required length of business experience. Five points also are given to their widows or their wives if they are disqualified on account of service-connected disability or if they are over 55 and are entitled to pension or compensation because of disability.



*Preference in reduction of force*

Statutory provision is covered in act of August 23, 1912 (37 Stat. 413), which provides in part:

That in the event of reductions being made in the force in any of the executive departments no honorably discharged soldier or sailor whose record in said department is rated good shall be discharged or dropped or reduced in rank or salary.

The Executive order of March 3, 1923, provides that an employee entitled to military preference in appointment shall not be discharged or dropped or reduced in rank or salary when a reduction in force is being made if his record is good, or (further provided by Executive order of Mar. 21, 1929) if his efficiency rating is equal to that of any employee in competition with him who is retained in the service. In making selections, according to competition, grade and character of work are considered.

NOTE.—Under section 213 of the act of June 30, 1932 (Economy Act), a veteran whose spouse is also in the service of the United States or of the District of Columbia, would in the event of a reduction in force be dismissed before employees who are not married, or whose husbands or wives are not in the service. The act of June 30, 1932, takes precedence over veteran-preference laws in conflict with its provisions. To this extent, preference status as a veteran is nullified. Likewise, the act of June 30, 1932, nullifies preference status in connection with appointment.

## BENEFITS GIVEN BY STATES

In addition to the various benefits granted by the Federal Government, the veterans may be entitled to additional benefits from the State in which they live. Some States maintain homes and hospitals for veterans of the State. Some grant pensions. Many have passed "bonus" bills granting veterans State bonuses. Some grant exemption from taxes or assist veterans by making loans for homes and farms. Preference in State civil-service appointments and on State work projects is generally given to veterans. All inquiries regarding State laws concerning veterans should be made to the field offices of the Veterans' Administration in the particular State or to the State service officer.

## REGULATIONS FOR THE GOVERNMENT OF NATIONAL CEMETERIES

## Paragraph 90:

All officers, cadets, and enlisted men of the Army, Navy, Marine Corps, and Revenue Cutter Service, and Army and Navy paymasters, clerks who died in the Regular or Volunteer service of the United States, or who died after having been mustered out or honorably discharged, are entitled to burial in any national cemetery free of cost. The same rights will be accorded to Army nurses who are honorably discharged or pensioned. The presentation of the commission, warrant, or honorable discharge of the deceased officer, enlisted man, or Army nurse, or the letter of appointment of the deceased Army or Navy paymaster clerk, signed by the Secretary of War or Navy, as the case may be is sufficient authority for the interment.

## Paragraph 92:

If the honorable discharge is not available as evidence of service, the interment may be made upon presentation of a pension certificate. If neither an honorable discharge nor a pension certificate can be produced, superintendents will communicate with the Quartermaster General, by telegraph if immediate burial is desired, for verification of the alleged service.

## Paragraph 97:

The deceased wife of a commissioned officer of the Army, Navy, Marine Corps, and Revenue Cutter Service of the United States Regular or Volunteer forces may be interred prior to the death of her husband upon presentation of his commission signed by the President. This applies also to the wife of a warrant officer of the Navy, provided such warrant is signed by the President, but does not apply to the wife of a warrant officer of the Revenue Cutter Service, as such warrants are signed by the Secretary of the Treasury and the rank of these men is assimilative with that of a noncommissioned officer of the Army. The wife of an Army or Navy paymaster's clerk, upon presentation of his letter of appointment signed by the Secretary of War or Navy, is entitled to the same benefits. If the commission, warrant, or letter of appointment is not available, the superintendent will communicate with the Quartermaster General by telegraph if immediate burial is desired, giving the name of the husband and the approximate date of the alleged services for verification, and await instructions. A petty officer of the Navy being an enlisted man, his wife will not be interred in a national cemetery until after the burial therein of her husband and then only in the same grave.

## Paragraph 100:

The wife of an enlisted man may be interred in a national cemetery, but only after the burial therein of her husband and in the same grave. This applies to the wives of enlisted men of the

Army, Navy, and Marine Corps; to the wives of petty officers and those warrant officers of the Navy whose warrants are signed by the Secretary of the Navy; and to the wives of enlisted men and warrant officers of the Revenue Cutter Service whose warrants are signed by the Secretary of the Treasury. \* \* \*

## Paragraph 116:

The creation of private monuments, headstones, or footstones will not be permitted until both the proposed design and the inscription have been approved by the Quartermaster General.

Persons "discharged from draft" cannot be interred in national cemeteries. This class includes only those who were drafted for service, but for some reason were not accepted for military service.

## HEADSTONES

Upon application to the Quartermaster General, United States Army, Washington, D. C., headstones will be furnished for unmarked graves of soldiers, sailors, marines, and Army nurses who served in the Army or Navy of the United States—including the Revolutionary War and service with the military forces of the Confederate States of America—whether regular or volunteer, and whether they died in the service or after muster out or honorable discharge. The headstones for Civil and Spanish War soldiers are of American white marble, 39 inches long, 12 inches wide, and 4 inches thick; for the World War, 42 inches long, 4 inches thick, and 13 inches wide. Headstones will be shipped freight prepaid by the Government, only to the nearest railroad station or steamboat landing.

## POLITICS NOT A FACTOR

Any veteran may receive advice, counsel, and assistance in regard to his case by a representative who is paid by the Government, at every hospital and every regional office. The representative will help the veteran by suggesting the kind of evidence that will be necessary to assist him in his case, assist him in preparing all the necessary forms, and do such other things as may be necessary to the proper presentation of his case to the Veterans' Administration.

Many veterans ask the question: "I have submitted all the proof I can and have been turned down; what shall I do now?" Of course, every question involving expenditure of public funds must be determined by some person, court, board, or tribunal. Someone must have the responsibility of passing upon the sufficiency of the evidence presented to authorize the payment of public funds. It is the same way in regard to civil rights. If one brings suit against a person, firm, or corporation for damages to person or property, certain proof must be presented to the court and the jury in order to win. Although the injured person feels that he has presented sufficient proof, if the court or jury decides against him he can appeal his case, and if the higher courts affirm the judgment there is nothing further for him to do; he has lost. In a similar way, a veteran may appeal for review of his claim if he can show error in the decision, but once the Board of Veterans' Appeals has rendered its decision he cannot again have the case reviewed unless he can submit new and material evidence.

Pensions and benefits are made in accordance with actual laws and regulations and not through favoritism, "political pull", or other means.

## HELPFUL QUESTIONS AND ANSWERS

Information under this heading obtained from American Legion, Veterans of Foreign Wars, Disabled American Veterans, and Spanish-American War Veterans. (These questions are typical of those that are generally asked)

1. Q. How can I get a prompt reply to my letters to the Veterans' Administration?

A. In communicating with the Veterans' Administration be sure to include your claim number. If you do not remember your claim number, give enough information to identify yourself, such as your rank and organization, date of enlistment, date of discharge, and date and place of birth. (There are over 65,000 veterans listed in the Veterans' Administration with the name of Smith. There are over 5,000 John Smiths listed.)

2. Q. In case of the death of a veteran, what action should be taken by the widow?

A. The widow should immediately notify the regional office nearest home, enclosing with the letter a copy of the death



certificate. She should also request information as to any rights she may have concerning compensation, adjusted compensation, and insurance. If there are minor children, the same questions should be asked concerning their rights.

3. Q. Is it too late to apply for compensation for disability incurred during the World War?

A. No. Application should be made to the office of the Veterans' Administration nearest the veteran's home, with a brief description of the disability and place of incurrence. Such a letter will bring the necessary information from the Veterans' Administration as to how to proceed.

4. Q. What war veterans who were not disabled in the service are entitled to hospitalization?

A. Any veteran of any war or military expedition, not dishonorably discharged, is entitled to free hospitalization in Government facilities provided he will certify that he is unable to meet the cost of such treatment. Hospitalization for non-service-connected disabilities is not a right which the veterans can claim or demand, but it is a privilege extended only when facilities are available.

5. Q. Are monetary benefits paid to any World War veterans other than those disabled in the war?

A. Yes. If the disability is not the result of misconduct and is rated permanent and total, the veteran is entitled to \$30 per month, provided the veteran had 90 days' service and his annual income, if unmarried, does not exceed \$1,000, or if married or with minor children does not exceed \$2,500.

6. Q. When are increases in compensation granted?

A. When a medical examination conducted by the Veterans' Administration indicates increased disability. An informal application by the veteran supported by medical evidence is required before the Veterans' Administration can reexamine veterans not actually in Veterans' Administration hospitals.

7. Q. When are dependency allowances granted?

A. World War veterans receiving compensation for disabilities rated on a temporary basis only are entitled to additional allowances for established dependents. Veterans receiving permanent ratings are not entitled to dependency allowances.

8. Q. Will compensation or pension of a World War veteran be reduced during hospitalization in a Veterans' Administration hospital?

A. If a beneficiary upon entering a Veterans' Administration facility is found to be without dependents, his compensation cannot exceed \$15 per month, or if receiving pension or peacetime monetary benefits, the maximum is \$6 monthly.

9. Q. When a claim for monetary benefits is denied, what recourse is open to the veteran?

A. An appeal may be filed with the office denying the claim within 1 year from the date of receipt of denial. Only one appeal is allowed under existing law.

10. Q. Does a veteran have the right of representation in the prosecution of his claim?

A. Yes. The Disabled American Veterans, the American Red Cross, the Veterans of Foreign Wars, and the American Legion have skilled claims personnel to assist any beneficiary in the prosecution of claims for benefits. Their services are gratis.

11. Q. Where are appeals heard and decided?

A. All appeals are considered by the Board of Veterans' Appeals of the Veterans' Administration at Washington, D. C.

12. Q. Should I come to Washington on my appeal?

A. It has been generally accepted that personal appearances before appeals boards are not generally required or necessary. The expense for such travel must be borne by the person appealing. It is believed advisable for the appellant to be guided by the advice of the representative designated to handle the claims.

13. Q. Does the Government provide burial for deceased veterans?

A. Yes. Apply at nearest Veterans' Administration office, where full information can be obtained. Claim for reimbursement for burial must be made within 1 year of the death of the veteran.

14. Q. When is compensation apportioned?

A. When the established dependents of a veteran are living separate and apart from the veteran. The Veterans' Administration may apportion the monthly monetary benefits according to the circumstances as provided by regulations.

15. Q. Is a doctor's affidavit, setting forth his diagnosis alone, considered good evidence?

A. No. The doctor should set forth the dates of treatment, the diagnosis, and complete findings in support of the diagnosis. It is essential to set forth the findings, as they show an accurate diagnosis has been made; also, indicate the degree of disability, which is essential for rating purposes.

16. Q. Should a letter be addressed to the office that disburses compensation checks with reference to a claim?

A. No. Checks are made through the fiscal offices of the Treasury Department. Letters with reference to compensation and pension should be addressed to the office having claims file.

17. Q. Where should inquiries be made with reference to veterans' laws and benefits?

A. Communicate with the nearest Veterans' Administration office.

#### RENT COMMISSION IN THE DISTRICT OF COLUMBIA

Mrs. NORTON. Mr. Speaker, the proponents and opponents of the bill (H. R. 11563) declaring an emergency in the housing condition in the District of Columbia; creating a rent commission for the District of Columbia; prescribing powers and duties of the commission, and for other purposes, have come to the agreement that, as it is plainly evident this bill cannot be finished today, the bill shall be the unfinished business on the next District day, which is 3 weeks from today; that upon that day no time shall be extended for anything other than District business; that the filibustering carried on today shall not be continued and that the bill shall be discussed with 2 hours for general debate limited to the bill, one-half of which shall be controlled by the opponents and one-half by myself, after which it shall be read for amendment, and the House shall stay in session until a vote is had on the final passage of the bill.

Mr. Speaker, this agreement has been entered into by the opponents and the proponents of the bill.

Mr. BLANTON. Mr. Speaker, that is the agreement with the exception of two errors mentioned by the gentlewoman from New Jersey. One is her reference to a filibuster. First, nothing has been done in this House today except that which in accordance with the rules of the House may be done to stop a bad bill, and in the second place, there are 40 minutes of debate which the gentleman from Texas, myself, already controls under the rules of the House, which I duly reserved from the hour then allotted to me, and which I have promised to certain Members on the Democratic side of the House to be used by them in the debate against the bill, and it is understood that within the 2 hours limitation of time mentioned by the gentlewoman from New Jersey, 40 minutes shall be controlled by me to yield to the other Democratic Members referred to. This time I reserved under the rules of the House on the former District day when there was consideration of the bill.

Mr. COX. Mr. Speaker, if the gentleman will permit, how does the committee figure an agreement between the advocates and the opponents of this bill will be binding upon the membership of the House?

Mr. BLANTON. The agreement has to do only with the chairman and the gentleman from Pennsylvania [Mr. ELLENBOGEN] on the one side, and the gentleman from New York [Mr. TABER], and myself, who have been pursuing our rights under the rules of the House in doing everything possible to defeat this bad bill, and binds only us, the gentlewoman from New Jersey [Mrs. NORTON], and the gentleman from Pennsylvania [Mr. ELLENBOGEN]. Of course, we cannot bind other Members, but we are binding ourselves by this agreement.



Mr. COX. Is it expected to try to bind those who are not within this exclusive circle?

Mr. BLANTON. No; of course not, except as to limiting the time for debate, but the gentleman from New York [Mr. TABER] and myself have been pursuing our rights as Representatives under our oath of office, and under the rules of the House, in doing everything within our power to prevent this unconstitutional, bad bill from passing.

The SPEAKER. The Chair will state the request as the Chair now understands it.

The gentlewoman from New Jersey asks unanimous consent that the bill (H. R. 11563) be now laid aside for consideration on next District day, which will be 3 weeks from today, and that general debate shall be limited to 2 hours, when the bill is taken up, one-half to be controlled by herself and one-half by the opposition.

Mr. BLANTON. With the understanding that 40 minutes of the hour in opposition I have already reserved and it is mine to yield to other Members, under the rules of the House, and the other 20 minutes will be controlled by the gentleman from New York [Mr. TABER], the gentleman from Illinois having already been heard in debate.

The SPEAKER. The Chair suggests that the time be fixed now so there will be no misunderstanding about it.

Mr. BLANTON. That was the understanding we had, because I have reserved to me 40 minutes from the last District Day, and I have promised to yield it to Democratic Members on my side of the aisle in debate against the bill.

Mr. DIRKSEN. Mr. Speaker, reserving the right to object—

The SPEAKER. Let us get the unanimous-consent agreement clearly in mind now.

Mrs. NORTON. Mr. Speaker, the allotment of time suggested by the gentleman from Texas [Mr. BLANTON] is perfectly agreeable. Forty minutes of time remains to the gentleman from Texas and 20 minutes to the gentleman from Illinois [Mr. DIRKSEN].

The SPEAKER. Does that mean 40 minutes in addition to the 2 hours?

Mrs. NORTON. No; 1 hour, in all, for the opposition.

The SPEAKER. The gentlewoman from New Jersey asks unanimous consent that the bill (H. R. 11563) be laid aside for consideration on next District day, 3 weeks from today, and at that time general debate shall be limited to 2 hours, 1 hour to be controlled by herself, 40 minutes by the gentleman from Texas [Mr. BLANTON], and 20 minutes by the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Reserving the right to object, the request was that the opposition should control one-half of the time. I am opposed to the bill, and I think one-half of the time should be controlled by the minority.

The SPEAKER. The request was that the lady from New Jersey should control one-half of the time, the gentleman from Texas [Mr. BLANTON], 40 minutes, and the gentleman from Illinois [Mr. DIRKSEN] 20 minutes.

Mr. BLANTON. The reason for that was that on the former District day, when this bill was last considered, I was recognized by the Chairman for 1 hour. I used 20 minutes and reserved the balance of my time. I have that 40 minutes of time allotted to me, and I have promised to yield it to my Democratic colleagues who desire to speak against this bill, and the chairman of the committee has recognized my right, and I could not be deprived of it unless she were to pass a motion to have the time controlled by another.

Mr. DIRKSEN. Further reserving the right to object, I have no objection to the time allotted for the minority. I am opposed to the bill and would have no objection to its being parceled out.

Mr. BLANTON. I have promised that time to my Democratic colleagues who want to speak against this bill.

Mr. MAPES. Reserving the right to object, there was a good deal in the announcement by the lady from New Jersey that is not put in the Speaker's request. The request is to divide the time three ways. The Committee on Rules has reached the conclusion that it is better policy to confine the

control of general debate on a bill to the chairman of the committee reporting the bill and the ranking minority member of the committee. I have no objection to putting the bill over for special consideration 3 weeks from today and giving 2 hours for debate, to be controlled by the lady from New Jersey and the ranking Republican member of the District Committee. If that request is made, I shall not object, but I think we should not go any further than that. As the gentleman from Georgia has indicated, I do not see how two or three Members can bind the House, and certainly they cannot agree that the House will stay in session until a vote is taken on the passage of the bill.

The SPEAKER. That was not in the request put by the Speaker.

Mr. MAPES. I understand that, but I thought, in view of what has been said, that it should be clearly understood that the agreement did not go any further than the Speaker's request.

The SPEAKER. The request put by the Chair would control.

Mr. MAPES. I think, in justice to all, that that should be definitely understood.

Mr. MICHENER. Mr. Speaker, I reserve the right to object. Does not the trouble arise because when this bill was under consideration, when last considered by the House, numerous Members were recognized for 1 hour each, and the Chair held at that time that these men who were recognized, regardless of the number, would each have 1 hour, and that they might parcel out that hour as they saw fit? That is where our trouble comes. It seemed to me at the time that that was an erroneous ruling. Under that ruling the gentleman from Texas [Mr. BLANTON] would be entitled to what he has left of his hour to distribute, and anyone else who is recognized under the rules would also have the right to parcel out the remaining time of the hour. I hope the Chair will clarify that rule.

The SPEAKER. The Speaker did not occupy the chair at the time the ruling was made. The Chair is informed that only two Members were recognized when the bill was under consideration 2 weeks ago, the lady from New Jersey [Mrs. NORTON] and the gentleman from Texas [Mr. BLANTON].

Mr. MICHENER. There was some discussion about the rule. I talked to the Parliamentarian at the time, and, as I understand, the opinion of the Parliamentarian and of the occupant of the chair at the time was that anyone recognized would be entitled to an hour.

The SPEAKER. Undoubtedly.

Mr. MICHENER. Two Members were recognized, and that there might as well have been more than two.

Mr. McFARLANE. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is called for. In order that the House may understand the request of the gentlewoman from New Jersey, the Chair will state it again. As the Chair understands it, it is that this bill (H. R. 11563) be laid aside until the next District day, which is 3 weeks from today, and that at that time it be taken up and general debate be limited to 2 hours, 1 hour to be controlled by the gentlewoman from New Jersey, 40 minutes by the gentleman from Texas [Mr. BLANTON], and 20 minutes by the gentleman from Illinois [Mr. DIRKSEN]. Is there objection?

Mr. O'MALLEY. Mr. Speaker, reserving the right to object, I should like to know just how this committee can make an agreement that the House will stay in session until a vote is had.

The SPEAKER. The Chair did not include that in his statement. The request submitted by the Chair controls. That was not included in that request.

Mr. MAPES. I object to the division of time three ways.

Mr. McFARLANE. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is called for. Is there objection?

Mr. O'MALLEY. Mr. Speaker, I object.

Mr. MAPES. Mr. Speaker, I object.



## CALL OF THE HOUSE

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present. We are considering an important matter, and I think we ought to have a quorum.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. Evidently there is not.

Mr. BANKHEAD. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll, and the following Members failed to answer to their names:

## [Roll No. 45]

Adair	Dingell	McGroarty	Sanders, La.
Allen	Dorsey	Schneider, Wis.	Secrest
Amle	Eaton	McLeod	Seger
Andresen	Eckert	McSwain	Sisson
Brennan	Ekwall	Maloney	Stack
Brooks	Evans	Marcantonio	Steagall
Buckbee	Farley	Marshall	Taylor, S. C.
Buckley, N. Y.	Fenerty	Mason	Thomas
Bulwinkle	Fernandez	May	Thurston
Carmichael	Fish	Meeks	Tinkham
Casey	Ford, Calif.	Montague	Tobey
Cavichia	Fulmer	Montet	Tonry
Claborne	Gingery	Moran	Treadway
Clark, Idaho	Gray, Ind.	Moritz	Underwood
Clark, N. C.	Hartley	Mott	Wearin
Cochran	Hennings	Nichols	Weaver
Cooley	Hobbs	Oliver	White
Crowther	Hoeppel	Perkins	Wilson, La.
Cummings	Kee	Rabaut	Withrow
Daly	Kocialkowski	Risk	Wolcott
Darrow	Kvale	Robison, Ky.	Wood
Dear	Lambeth	Romjue	Zioncheck
DeRouen	Lehlbach	Ryan	
Dietrich	Lundeen	Sadowski	

The SPEAKER. Three hundred and thirty-six Members are present, a quorum.

Mr. BANKHEAD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mrs. NORTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 11563) declaring an emergency in the housing condition in the District of Columbia, creating a rent commission for the District of Columbia, prescribing powers and duties of the commission, and for other purposes; and, pending that, I ask unanimous consent that general debate be limited to 2 hours, 20 minutes to be controlled by the gentleman from Illinois [Mr. DIRKSEN], 40 minutes by the gentleman from Texas [Mr. BLANTON], and 1 hour by myself.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. MAPES. Mr. Speaker, reserving the right to object, I think it is bad practice to divide the time among individuals, and for that reason I object.

Mrs. NORTON. Mr. Speaker, I move that general debate on the bill H. R. 11563 be limited to 2 hours, one-half the time to be controlled by the ranking minority member [Mr. DIRKSEN] and one-half by myself.

The SPEAKER. The question is on the motion of the gentleman from New Jersey that general debate on the bill be limited to 2 hours, one-half to be controlled by herself and one-half by the ranking minority member.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Under the rules of the House, while in the Committee of the Whole, in accordance with a custom running back to the time when the memory of man runneth not to the contrary, I was recognized by the Chairman for 1 hour. I used 20 minutes of that time and I reserved 40 minutes, and agreed to yield it to other Members. If the motion now made by the gentleman from New Jersey should prevail, will that interfere with that situation?

The SPEAKER. The Chair believes it will.

Mr. BLANTON. Then the effect of her motion is to prevent my opposing her bill in debate. I think it would be unfair if such a motion as that prevailed, and I hope it will be voted down. However, regardless of the vote on her motion, I know how to get time to oppose the bill.

The SPEAKER. The question is on the motion of the gentleman from New Jersey.

The question was taken; and on a division (demanded by Mr. BLANTON) there were ayes 112 and noes 6.

Mr. BLANTON. Mr. Speaker, I object to the vote on the ground that there is no quorum present, and I make the point of order that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] Evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 264, nays 31, not voting 135, as follows:

## [Roll No. 46]

## YEAS—264

Andrew, Mass.	Driver	Kennedy, Md.	Rayburn
Andrews, N. Y.	Duffey, Ohio	Kenney	Reece
Arends	Duffy, N. Y.	Kinzer	Reed, Ill.
Ayers	Duncan	Kloeb	Reed, N. Y.
Bankhead	Dunn, Miss.	Kniffin	Relly
Barden	Dunn, Pa.	Knutson	Richards
Barry	Eagle	Kramer	Richardson
Beam	Eicher	Lambertson	Robinson, Utah
Beiter	Ekwall	Lamneck	Rogers, Mass.
Bell	Ellenbogen	Lanham	Rogers, N. H.
Berlin	Engel	Lea, Calif.	Rogers, Okla.
Biermann	Englebright	Lea, Okla.	Russell
Binderup	Farley	Lesinski	Sauthoff
Blackney	Ferguson	Lewis, Colo.	Schaefer
Bloom	Fiesinger	Luckey	Schneider, Wis.
Boehne	Fletcher	McAndrews	Schuetz
Bolton	Focht	McClellan	Schulte
Boykin	Ford, Calif.	McCormack	Scott
Brewster	Ford, Miss.	McFarlane	Sears
Brown, Ga.	Frey	McGehee	Shanley
Brown, Mich.	Gambrill	McGrath	Shannon
Buck	Gearhart	McKeough	Short
Buckler, Minn.	Gehrman	McLaughlin	Sirovich
Caldwell	Gifford	McLean	Sisson
Cannon, Mo.	Gilchrist	McLeod	Smith, Conn.
Cannon, Wis.	Gildea	McMillan	Smith, Va.
Carlson	Gillette	McReynolds	Smith, Wash.
Carpenter	Goodwin	Maas	Smith, W. Va.
Carter	Granfield	Mahon	Snell
Cartwright	Gray, Pa.	Main	Snyder, Pa.
Cary	Green	Mapes	South
Chandler	Greenway	Martin, Colo.	Spence
Chapman	Greever	Martin, Mass.	Starnes
Christianson	Gregory	Massingale	Stefan
Church	Griswold	Maverick	Stewart
Citron	Guyer	Mead	Stubbs
Colden	Gwynne	Michener	Sullivan
Cole, Md.	Haines	Millard	Sutphin
Cole, N. Y.	Halleck	Miller	Sweeney
Collins	Harlan	Mitchell, Tenn.	Taylor, Colo.
Colmer	Hart	Monaghan	Taylor, Tenn.
Cooper, Ohio	Harter	Moran	Terry
Cooper, Tenn.	Healey	Nelson	Thom
Costello	Hess	Nichols	Thompson
Cox	Higgins, Conn.	Norton	Tolan
Cravens	Higgins, Mass.	O'Brien	Turner
Crawford	Hildebrandt	O'Connor	Turpin
Creal	Hill, Ala.	O'Day	Umstead
Crosby	Hill, Knute	O'Leary	Utterback
Crosser, Ohio	Hill, Samuel B.	O'Malley	Vinson, Ga.
Crowe	Hoffman	O'Neal	Vinson, Ky.
Crowther	Hollister	Owen	Wallgren
Cullen	Holmes	Palmisano	Walter
Curley	Hope	Parks	Wearin
Daly	Huddleston	Parsons	Welch
Deen	Hull	Pearson	Werner
Delaney	Imhoff	Peterson, Fla.	Whelchel
Dempsey	Jacobsen	Peterson, Ga.	Whittington
Dirksen	Jenckes, Ind.	Peyser	Wigglesworth
Dobbins	Jenkins, Ohio	Pittenger	Wilcox
Dockweiler	Johnson, Tex.	Polk	Williams
Dondero	Johnson, W. Va.	Powers	Wilson, Pa.
Doughton	Jones	Ramsay	Wolverton
Doutrich	Kahn	Ramspeck	Woodruff
Doxey	Keller	Rankin	Young
Drewry	Kelly	Ransley	Zimmerman

## NAYS—31

Ashbrook	Fish	Murdock	Tarver
Bacharach	Hancock, N. Y.	Patman	Thomason
Bacon	Johnson, Okla.	Patterson	Thurston
Blanton	Kleberg	Pettengill	Tinkham
Castellow	Larrabee	Pierce	Wadsworth
Dies	Ludlow	Rich	West
Disney	McGroarty	Sanders, Tex.	Wolfenden
Faddis	Mitchell, Ill.	Taber	

## NOT VOTING—135

Adair	Boylan	Burch	Claborne
Allen	Brennan	Burdick	Clark, Idaho
Amle	Brooks	Burnham	Clark, N. C.
Andresen	Buchanan	Carmichael	Cochran
Bland	Buckbee	Casey	Coffey
Boileau	Buckley, N. Y.	Cavichia	Connery
Boland	Bulwinkle	Celler	Cooley



Corning	Gingery	Mansfield	Sabath
Cross, Tex.	Goldsborough	Marcantonio	Sadowski
Culkin	Gray, Ind.	Marshall	Sanders, La.
Cummings	Greenwood	Mason	Sandlin
Darden	Hamlin	May	Scrugham
Darrow	Hancock, N. C.	Meeks	Secrest
Dear	Hartley	Merritt, Conn.	Seger
DeRouen	Hennings	Merritt, N. Y.	Somers, N. Y.
Dickstein	Hobbs	Montague	Stack
Dietrich	Hoeppe	Montet	Steagall
Dingell	Hook	Moritz	Summers, Tex.
Ditter	Houston	Mott	Taylor, S. C.
Dorsey	Kee	O'Connell	Thomas
Driscoll	Kennedy, N. Y.	Oliver	Tobey
Eaton	Kerr	Patton	Tonry
Eckert	Kocialkowski	Perkins	Treadway
Edmiston	Kopplemann	Pfeifer	Underwood
Evans	Kvale	Plumley	Warren
Fenerty	Lambeth	Quinn	Weaver
Fernandez	Lehlbach	Rabaut	White
Fitzpatrick	Lemke	Randolph	Wilson, La.
Flannagan	Lewis, Md.	Risk	Withrow
Fuller	Lord	Robertson	Wolcott
Fulmer	Lucas	Robison, Ky.	Wood
Gasque	Lundeen	Romjue	Woodrum
Gassaway	McSwain	Rudd	Zioncheck
Gavagan	Maloney	Ryan	

So the motion was agreed to.

The Clerk announced the following pairs:  
General pairs:

Mr. Woodrum with Mr. Darrow.  
Mr. Boland with Mr. Lehlbach.  
Mr. Greenwood with Mr. Ditter.  
Mr. Bland with Mr. Marshall.  
Mr. Fuller with Mr. Thomas.  
Mr. Oliver with Mr. Tobey.  
Mr. Robertson with Mr. Robison of Kentucky.  
Mr. Gavagan with Mr. Perkins.  
Mr. McSwain with Mr. Hartley.  
Mr. Warren with Mr. Cavicchia.  
Mr. Dingell with Mr. Buckbee.  
Mr. Flannagan with Mr. Eaton.  
Mr. Cochran with Mr. Allen.  
Mr. Bulwinkle with Mr. Fenerty.  
Mr. Connery with Mr. Lord.  
Mr. Fernandez with Mr. Merritt of Connecticut.  
Mr. Fitzpatrick with Mr. Risk.  
Mr. Mansfield with Mr. Treadway.  
Mr. Lambeth with Mr. Mott.  
Mr. Maloney with Mr. Culkin.  
Mr. Kerr with Mr. Andresen.  
Mr. Fulmer with Mr. Plumley.  
Mr. Boylan with Mr. Seger.  
Mr. Weaver with Mr. Wolcott.  
Mr. Buchanan with Mr. Burnham.  
Mr. Sabath with Mr. Marcantonio.  
Mr. Burch with Mr. Burdick.  
Mr. Pfeifer with Mr. Lemke.  
Mr. Cross of Texas with Mr. Amlie.  
Mr. Rudd with Mr. Lundeen.  
Mr. Corning with Mr. Kvale.  
Mr. Montague with Mr. Boileau.  
Mr. May with Mr. Withrow.  
Mr. Celler with Mr. Montet.  
Mr. Cooley with Mr. Buckley.  
Mr. Zioncheck with Mr. Tonry.  
Mr. Lewis of Maryland with Mr. Dear.  
Mr. Randolph with Mr. Adair.  
Mr. Gasque with Mr. Brooks.  
Mr. Hamlin with Mr. Quinn.  
Mr. Hennings with Mr. Brennan.  
Mr. Rabaut with Mr. Hobbs.  
Mr. Gingery with Mr. Sandlin.  
Mr. Kennedy of New York with Mr. Clark of Idaho.  
Mr. Steagall with Mr. Somers of New York.  
Mr. Dickstein with Mr. Dietrich.  
Mr. White with Mr. Mason.  
Mr. Evans with Mr. Meeks.  
Mr. O'Connell with Mr. Carmichael.  
Mr. Hancock of North Carolina with Mr. Romjue.  
Mr. Patton with Mr. Hook.  
Mr. Casey with Mr. Kee.  
Mr. Secrest with Mr. Cummings.  
Mr. Taylor of South Carolina with Mr. Driscoll.  
Mr. Wood with Mr. Eckert.  
Mr. Summers of Texas with Mr. Scrugham.  
Mr. Darden with Mr. Ryan.  
Mr. Houston with Mr. Goldsborough.  
Mr. Gray of Indiana with Mr. Claiborne.  
Mr. Merritt of New York with Mr. Stack.  
Mr. Clark of North Carolina with Mr. Dorsey.  
Mr. Wilson of Louisiana with Mr. Sadowski.  
Mr. DeRouen with Mr. Coffee.  
Mr. Edmiston with Mr. Saunders of Louisiana.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. TABER. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 52, noes 86.

Mr. TABER. Mr. Speaker, I object to the vote on the ground there is no quorum present.

The SPEAKER. The Chair does not think it requires a quorum to adjourn.

Mr. TABER. But it does not to adjourn.

I demand the yeas and nays, Mr. Speaker.

Mr. BLANTON. Mr. Speaker, a point of order. I make the point of order that, where the House refuses to adjourn, in order for it to transact business it does require a quorum, and that is the point of order which the gentleman from New York made.

The SPEAKER. The Chair overrules the point of order.

Mr. TABER. I demand the yeas and nays, Mr. Speaker.

The yeas and nays were refused.

So the House refused to adjourn.

The SPEAKER. The question is on the motion of the gentlewoman from New Jersey that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11563.

The question was taken and on a division (demanded by Mr. BLANTON) there were ayes 116 and noes 11.

Mr. BLANTON. Mr. Speaker, I object to the vote, because there is no quorum present, and I make the point of order that there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and seventy Members are present, not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 263, nays 32, not voting 134, as follows:

[Roll No. 47]

YEAS—264

Andresen	Dies	Hildebrandt	Millard
Andrew, Mass.	Dirksen	Hill, Ala.	Miller
Arends	Ditter	Hill, Knute	Mitchell, Tenn.
Ashbrook	Dobbins	Hill, Samuel B.	Monaghan
Ayers	Dockweiler	Hoffman	Moritz
Bankhead	Dondero	Holmes	Mott
Barden	Dorsey	Hook	Murdoch
Barry	Doughton	Hope	Nelson
Beam	Doutrich	Houston	Nichols
Belter	Drewry	Huddleston	Norton
Bell	Driscoll	Hull	O'Brien
Biermann	Driver	Jacobsen	O'Connell
Blackney	Duffey, Ohio	Jenkins, Ohio	O'Connor
Bland	Duffy, N. Y.	Johnson, Okla.	O'Leary
Bloom	Duncan	Johnson, Tex.	O'Malley
Boehne	Dunn, Pa.	Johnson, W. Va.	O'Neal
Boland	Eagle	Kahn	Owen
Bolton	Eaton	Keller	Palmisano
Boykin	Edmiston	Kelly	Parks
Boylan	Eicher	Kennedy, Md.	Parsons
Brewster	Ekwall	Kennedy, N. Y.	Pearson
Brown, Ga.	Ellenbogen	Kenney	Peterson, Fla.
Brown, Mich.	Engel	Kloeb	Peterson, Ga.
Buck	Englebright	Kniffin	Peyser
Buckler, Minn.	Ferguson	Knutson	Pfeifer
Cannon, Mo.	Fiesinger	Kopplemann	Pierce
Cannon, Wis.	Fish	Kramer	Pittenger
Carlson	Fitzpatrick	Lambertson	Plumley
Carpenter	Fletcher	Lamneck	Polk
Carter	Focht	Lanham	Powers
Cartwright	Ford, Calif.	Lee, Okla.	Ramspeck
Cary	Ford, Miss.	Lewis, Colo.	Randolph
Castellow	Fuller	McAndrews	Rankin
Celler	Gambrill	McClellan	Ransley
Christianson	Gavagan	McCormack	Reece
Church	Gearhart	McParlane	Reed, Ill.
Colden	Gehrmann	McGehee	Reilly
Cole, Md.	Gifford	McGrath	Richards
Cole, N. Y.	Gillette	McGroarty	Richardson
Collins	Goodwin	McKeough	Robinson, Utah
Colmer	Granfield	McLaughlin	Rogers, Mass.
Cooper, Tenn.	Green	McLean	Rogers, N. H.
Corning	Greenway	McLeod	Rogers, Okla.
Costello	Greenwood	McMillan	Russell
Cravens	Greever	McReynolds	Sauthoff
Creal	Gregory	Maas	Schaefer
Crosby	Griswold	Mahon	Schneider, Wis.
Crosser, Ohio	Guyer	Main	Schuetz
Crowe	Gwynne	Mansfield	Schulte
Crowther	Halleck	Mapes	Scott
Cullen	Hamlin	Martin, Colo.	Sears
Curley	Harlan	Martin, Mass.	Shanley
Daly	Hart	Massingale	Shannon
Deen	Harter	Maverick	Sirovich
Delaney	Hennings	Mead	Sisson
Dempsey	Higgins, Conn.	Merritt, N. Y.	Smith, Conn.
Dickstein	Higgins, Mass.	Michener	Smith, Wash.



Smith, W. Va.	Stubbs	Turpin	Whelchel
Snell	Sullivan	Umstead	Whittington
Snyder, Pa.	Sutphin	Utterback	Wigglesworth
Somers, N. Y.	Taylor, Tenn.	Vinson, Ga.	Wilcox
South	Terry	Vinson, Ky.	Williams
Spence	Thom	Wallgren	Woodruff
Starnes	Thompson	Walter	Woodrum
Stefan	Tolan	Wearin	Young
Stewart	Turner	Werner	Zimmerman

## NAYS—32

Andrews, N. Y.	Hess	Patterson	Thomason
Bacharach	Hollister	Pettengill	Thurston
Bacon	Kleberg	Rich	Tinkham
Blanton	Larrabee	Robertson	Wadsworth
Caldwell	Lord	Sanders, Tex.	West
Dunn, Miss.	Ludlow	Short	Wilson, Pa.
Faddis	Mitchell, Ill.	Smith, Va.	Wolfenden
Hancock, N. Y.	Patman	Tarver	Wolverton

## NOT VOTING—134

Adair	Darden	Kerr	Robson, Ky.
Allen	Darrow	Kinzer	Romjue
Amie	Dear	Kocialkowski	Rudd
Berlin	DeRouen	Kvale	Ryan
Binderup	Dietrich	Lambeth	Sabath
Boileau	Dingell	Lea, Calif.	Sadowski
Brennan	Disney	Lehibach	Sanders, La.
Brooks	Doxey	Lemke	Sandlin
Buchanan	Eckert	Lesinski	Scrugham
Buckbee	Evans	Lewis, Md.	Secrest
Buckley, N. Y.	Farley	Lucas	Seger
Bulwinkle	Fenerty	Luckey	Stack
Burch	Fernandez	Lundeen	Steagall
Burdick	Flannagan	McSwain	Sumners, Tex.
Burnham	Frey	Maloney	Sweeney
Carmichael	Fulmer	Marcantonio	Taber
Casey	Gasque	Marshall	Taylor, Colo.
Cavicchia	Gassaway	Mason	Taylor, S. C.
Chandler	Gilchrist	May	Thomas
Chapman	Gildea	Meeks	Tobey
Citron	Gingery	Merritt, Conn.	Tonry
Claborne	Goldsborough	Montague	Treadway
Clark, Idaho	Gray, Ind.	Montet	Underwood
Clark, N. C.	Gray, Pa.	Moran	Warren
Cochran	Haines	O'Day	Weaver
Coffee	Hancock, N. C.	Oliver	Welch
Connery	Hartley	Patton	White
Cooley	Healey	Perkins	Wilson, La.
Cooper, Ohio	Hobbs	Quinn	Withrow
Cox	Hoeppel	Rabaut	Wolcott
Crawford	Imhoff	Ramsay	Wood
Cross, Tex.	Jenckes, Ind.	Rayburn	Zioncheck
Culkin	Jones	Reed, N. Y.	
Cummings	Kee	Risk	

So the motion was agreed to.

The Clerk announced the following additional pairs:  
Until further notice:

Mr. Rayburn with Mr. Darrow.  
Mr. Lea of California with Mr. Seger.  
Mr. Kerr with Mr. Treadway.  
Mr. Jones with Mr. Lehibach.  
Mr. Connery with Mr. Cooper of Ohio.  
Mr. Steagall with Mr. Kinzer.  
Mr. Cox with Mr. Marshall.  
Mr. Taylor of Colorado with Mr. Robson of Kentucky.  
Mr. Doxey with Mr. Thomas.  
Mr. Fulmer with Mr. Andrew of Massachusetts.  
Mr. Patton with Mr. Crawford.  
Mr. Flannagan with Mr. Perkins.  
Mr. Lambeth with Mr. Reed of New York.  
Mr. Chapman with Mr. Welch.  
Mr. Disney with Mr. Taber.  
Mr. Clark of North Carolina with Mr. Risk.  
Mr. Haines with Mr. Lemke.  
Mr. Taylor of South Carolina with Mr. Kvale.  
Mr. Healey with Mr. Gilchrist.  
Mr. Frey with Mr. Montet.  
Mr. Brennan with Mr. Lesinski.  
Mr. Adair with Mr. Carmichael.  
Mrs. Jenckes of Indiana with Mr. Moran.  
Mr. Binderup with Mr. Gildea.  
Mr. Sweeney with Mr. Ramsay.  
Mr. Berlin with Mr. Luckey.  
Mr. Chandler with Mr. Quinn.  
Mr. Stack with Mr. Imhoff.  
Mr. Mahon with Mr. Kocialkowski.  
Mr. Clark of Idaho with Mr. Dietrich.  
Mrs. O'Day with Mr. Farley.  
Mr. Sanders of Louisiana with Mr. Gassaway.  
Mr. Houston with Mr. Gray of Pennsylvania.

The result of the vote was announced as above recorded.  
The doors were opened.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 11563) declaring an emergency in the housing condition in the District of Columbia, creating a rent commission for the District of Columbia, prescribing powers and duties of the commission, and for other purposes, with Mr. DIES in the chair.

The Clerk read the title of the bill.

Mrs. NORTON. Mr. Chairman, I regret more than I can say that the Members of the House, many of whom are engaged in very important business in committees, have been brought here five times today to answer roll calls. I want it to appear in the RECORD that the chairman of this committee regrets the time it has taken the Members to come here and record their votes. It does not seem quite fair, as I said 2 weeks ago when this bill was before the House, to filibuster. It is perfectly all right with the chairman of the committee and with the Committee on the District of Columbia to debate a bill and vote on its merits, whether the outcome be favorable to the committee or otherwise, but it is deeply regretted that filibustering tactics are continually employed against bills brought out by the Committee on the District of Columbia.

Work of the Committee on the District of Columbia is probably more arduous than on any other committee of the House, with the exception, of course, of the major committees, and I do not think that even the major committees spend as much time holding hearings or have as many bills before them—bills that are of no interest to their districts. The Members who serve on the Committee on the District of Columbia, therefore, are doing a patriotic service for the whole country; and, Mr. Chairman, it does not seem quite fair that this committee should be treated in the fashion it has been treated today or was treated 2 weeks ago. Apart from this, however, I think it has helped the bill very considerably because of the publicity the bill has received in the papers. We of the District Committee have been receiving hundreds of letters from people all over the District telling us of the frightful conditions prevailing with regard to rents; and may I say to you that this bill does concern every Member of this House. Members on the Committee on the District of Columbia must necessarily do a great deal of work in which their constituents are not directly interested, but in this instance we are presenting a bill for the benefit of our friends and yours. There is probably not a Member of Congress who does not have constituents paying rent in Washington. We believe this bill is to their interests, especially to those who are receiving salaries of \$1,260, \$1,440, \$1,680, \$1,800, and \$2,000, and whose rents are entirely out of proportion to their incomes.

Since this bill has been before the House, Mr. Chairman, I have had a great many Members of the House tell me that the rents they themselves have to pay are outrageous, and certainly they are in better position to pay high rents than these Government employees, who, if they want to live decently, are compelled to pay rents out of all proportion to their incomes.

I have here a petition with 10,000 signatures in favor of this District of Columbia emergency rent bill. I have also a list of the grievances and the results of a questionnaire circulated by the Washington Central Labor Union in collaboration with the Resettlement Administration. The Central Labor Union in the District of Columbia, Mr. Chairman, is very much interested in this bill. They have been coming to my office continually, asking that something be done about it.

Last year when this bill was before the House I was away, very ill. It was considered at that time, however, and no determination was made upon the bill. A filibuster prevented further action on it. This is the second day it has been before the House this session, with not much better result.

Mr. Chairman, I am making my plea for the people of the District of Columbia who are oppressed by the high rents some of the rent gougers in this city are charging. There are many fair-minded landlords and many fair-minded real-estate people. Some time ago we tried to get them together to see if they themselves could not bring about a better condition before we decided to legislate, but to the present time we have had no results whatsoever, so we were obliged in all fairness to the people of the District who depend on us for an equitable adjustment of such matters to bring this bill before the House.

All we ask, Mr. Chairman, is fair consideration of the bill. If it is a good bill, let us vote for it. If the Members, after the House has fully considered it, feel it is a bad bill, all



right; we will vote it down; but, at least, in all justice and fairness, let us have a full and honest debate on the merits of this bill so we may be able to do something about the sad condition the people of this District are in at the present time as a result of one-half of 1 percent of vacancies. Certainly nobody can say that this is not an emergency.

Mr. Chairman, I yield 20 minutes to the gentleman from Pennsylvania [Mr. ELLENBOGEN], the author of the bill, who has held hearings on the bill, who wrote the report on the bill, and who is familiar with each and every part of it. [Applause.]

Mr. ELLENBOGEN. Mr. Chairman, I shall use the time allotted to me by the gentlewoman from New Jersey, distinguished chairman of the Committee on the District of Columbia, to explain the bill now under consideration. The bill creates a commission of three members for the purpose of fixing fair and equitable rentals in the District of Columbia.

This legislation is temporary, made so expressly, as you will see by the language of the bill appearing in line 4 of page 2, that the powers of the commission established under this legislation shall terminate in 3 years from the passage of this act. We are hopeful that by the end of this 3-year period, if not before, the emergency existing in the District of Columbia with regard to housing will have passed.

Each of these three commissioners is to receive a salary of \$5,000 per annum payable semimonthly. When the bill was last under consideration certain Members objected that this salary was excessive. Mr. Chairman, in order to administer this law we must secure competent men, men who have had experience in life and who can judge the values of real estate and assess equities between landlords and tenants.

Surely that charge of an excessive salary was not made in earnest. I am certain if you can find competent men to administer this law, and those are the only men who should administer this law, you will not say a salary of \$5,000 a year for such men is excessive.

The commission is also given power to appoint a secretary who shall receive a salary of \$3,000 a year. This means \$250 a month. Surely that salary is not excessive.

The counsel for the commission shall receive a salary of \$3,500 a year, which is a little less than \$300 a month. Certainly that salary is not excessive.

The commission is also given the power to appoint such examiners, employees, and attorneys as are necessary in the performance of its duties. This provision was greatly objected to the last time the bill was up for consideration, but if my colleagues will turn to section 19, page 21, line 24, they will find that the entire appropriation for this commission is limited to \$50,000. If this commission will do what I believe it will do, what the experts believe it will do, and what it is intended it shall do, it will be worth not only \$50,000 to the taxpayers of the District of Columbia, but 10 or 20 times that much. Let me remind my colleagues that this \$50,000 is not placed upon the taxpayers of the United States, but upon the taxpayers of the District, just as it ought to be, because this appropriation has to come out of District funds.

In addition to the three commissioners, the assessor of the District of Columbia, who knows more about the facts pertaining to real property in the District than any other person, is made an ex-officio member of the commission, and for his services he is to receive the sum of \$500 in addition to the salary which he now receives. Mr. Chairman, that is the set-up of the commission.

What is the commission to do? The commission is charged by law with the duty, upon complaint or upon its own initiative, to inquire into rentals that are charged tenants in the District of Columbia. When the commission receives such a complaint or when it acts upon its own initiative, it is then charged with the duty of inquiring into various factors.

What are these factors? It has to inquire into the value—not "water" value, but the value today—of the piece of real property involved. It has to inquire into the expenses connected with that piece of property, the taxes, the services that are necessary, such as light, heat, elevator and janitor service, and so forth, whatever that may be; then the com-

mission has to fix a rental that will be fair and reasonable to both tenant and owner of the property. It must allow to the owner a return upon the value of his property which is just and fair. We could not provide anything else, because if we did it would be taking private property without due process of law and without just compensation therefor. So that a landlord who is fair should not object to this bill.

The commission must hold open hearings, upon notice to the owner or agent collecting rents, to determine whether the rent or other conditions of a lease are fair and reasonable. The commission must make known its determination fixing the fair and reasonable rent and services to be furnished in any rental property or unit thereof within 60 days from the date of the filing of the complaint.

The commission may, and if requested shall, file with its determination the fair and reasonable value of the whole property, the net return to the owner, and such findings of fact as the commission deems proper and as the act requires on the evidence presented.

Any court of the United States or the District of Columbia in any suit involving landlord and tenant relations shall determine the rights and duties of the parties in accordance with the determinations of the commission relevant thereto.

The bill provides that despite the expiration of the term fixed by the lease the tenant may continue in possession and may not be evicted if he performs the conditions of the lease. The landlord may, upon notice given as required, secure possession of the property either for personal occupancy, or to make material repairs, or erect a new building, or if the tenant commits waste, nuisance, or breach of peace upon the premises. The tenant shall pay rent to the owner in accordance with the terms of the lease during the period between the service of the notice and the final decision in the proceeding for the recovery of possession. The rights of the tenant under this section shall cease if the tenant fails to pay rent.

The bill provides that the Commission's determination shall not be stayed during the pendency of the appeal. If the Commission increases the rent, it shall be paid to the landlord, or to the Commission, or a bond given to guarantee payment, if sustained on appeal. If the rent is decreased by the Commission and is set aside on appeal, the unpaid difference shall be added to future rent payments or sued for in the Municipal Court of the District of Columbia.

The bill provides that a change in the ownership of "rental property" shall not affect the determination of the Commission.

The fact is that rents today in many instances—in the majority of instances—in the city of Washington are excessive. It is a shame and a disgrace that people who come here from all parts of the United States for the purpose of serving their Government and our Government are held up and must pay excessive rentals before they are permitted to live here. Not only that but we found upon investigation that several thousand Government employees who work in the Government offices in the city of Washington cannot find quarters in Washington at rentals which they can afford to pay. They are, therefore, forced to go outside of the city limits, in many cases as far as 40 miles away. If it is necessary for an employee to travel some 40 miles to go to his place of work in the morning and then return to his home 40 miles in the evening, it will impair the efficiency of his work, it will undermine his health, and deteriorate the service which he would like to give and which he ought to give to the Government.

Mr. BLANTON. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. Our friend the gentleman from Pennsylvania is making such an enlightening speech that we ought to have a quorum present to hear him. I, therefore, make the point of order that a quorum is not present.

Mr. ANDRESEN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. ANDRESEN. I make the point of order that the gentleman from Texas is employing dilatory tactics in obstructing legislation.

The CHAIRMAN. The gentleman from Minnesota [Mr. ANDRESEN] does not state a point of order.



The gentleman from Texas makes the point of no quorum. Evidently there is not a quorum present. The Clerk will call the roll.

The Clerk called the roll and the following Members failed to answer to their names:

(Roll No. 48)

Adair	Dingell	Kee	Quinn
Allen	Disney	Keller	Rabaut
Amle	Ditter	Kennedy, Md.	Ramsay
Barden	Driscoll	Kerr	Ransley
Bland	Duffey, Ohio	Kocialkowski	Richards
Bolleau	Duncan	Kvale	Risk
Brennan	Eaton	Lambeth	Robison, Ky.
Brooks	Eckert	Lehlbach	Rogers, N. H.
Buckbee	Ekwall	Lesinski	Romjue
Buckley, N. Y.	Evans	Lewis, Md.	Rudd
Bulwinkle	Fenerty	Lucas	Sadowski
Burch	Ferguson	Luckey	Sanders, La.
Burnham	Fernandez	Lundeen	Secrest
Caldwell	Fish	McGehee	Seger
Cannon, Wis.	Fitzpatrick	McLean	Smith, Va.
Carmichael	Flannagan	McLeod	Smith, Wash.
Carter	Ford, Calif.	McMillan	Somers, N. Y.
Casey	Fulmer	McSwain	Stack
Cavichia	Gambrill	Maloney	Steagall
Chandler	Gassaway	Marcantonio	Sumners, Tex.
Citron	Gifford	Marshall	Sweeney
Claiborne	Gilchrist	Mason	Taylor, S. C.
Clark, Idaho	Gildea	May	Taylor, Tenn.
Clark, N. C.	Gingery	Meeks	Thomas
Cochran	Goldsborough	Merritt, Conn.	Thompson
Coffee	Gray, Ind.	Montague	Thurston
Cole, Md.	Gray, Pa.	Montet	Tobey
Collins	Greenway	Moran	Tonry
Connery	Haines	Mott	Treadway
Cooley	Hancock, N. C.	Murdock	Underwood
Cooper, Ohio	Hartley	O'Day	Werner
Culkin	Healey	Oliver	White
Cummings	Hobbs	O'Neal	Wilson, Pa.
Darrow	Hoepfel	Palmisano	Wolcott
Dear	Hoof	Patton	Wood
Deen	Imhoff	Perkins	Zioncheck
DeRouen	Jenckes, Ind.	Peterson, Fla.	
Detrich	Johnson, W. Va.	Pierce	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DIES, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 11563) declaring an emergency in the housing condition in the District of Columbia; creating a rent commission for the District of Columbia; prescribing powers and duties of the commission, and for other purposes; and finding itself without a quorum, he had directed the roll to be called, and 280 Members answered to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The SPEAKER. The Committee will resume its session.

The Committee resumed consideration of the bill (H. R. 11563) with Mr. DIES in the chair.

Mr. ELLENBOGEN. Mr. Chairman, this proposed legislation is not new in our history. It is modeled after a bill which was passed by this Congress on October 22, 1919, and which applied, just as this bill does, to the District of Columbia. The District of Columbia rent law was amended on August 24, 1921, amended on May 24, 1922, and again on May 17, 1924.

It is also modeled after similar legislation which was enacted in the State of New York and which was passed by the Assembly of the State of New York on September 27, 1920.

Mr. Chairman, I would like to show you and the members of the Committee that the rent emergency which exists today in the District of Columbia is far greater than it was in 1919 when we passed a similar bill.

There were in the District of Columbia during 1920, which was the first year that the Rent Commission functioned, 90,000 Federal employees; in 1921, while the Commission was still functioning, there were only 79,000; in 1922 there were only 70,000; in 1923 there were 66,000; and in 1924 there were 64,000. As compared with the last number of 64,000, on January 31, 1936, there were 112,349 Federal employees in the District of Columbia.

Mr. Chairman, this figure does not include the 12,000 or 13,000 employees of the government of the District of Columbia; neither does it include about 3,000 employees in the legislative branch located in the District of Columbia or about

500 employees employed in the judicial branch and located in the District of Columbia.

Anyone who has examined these figures, showing an increase of nearly 75 percent in the number of employees of the Federal Government located in the District of Columbia, must surely admit that we are faced today with an emergency and with an influx of people into the city such as we have never had before.

Not only this, but today the number of vacancies available in the District of Columbia as compared with the number of apartments and homes existing in the District of Columbia is limited to one-half of 1 percent, whereas the normal vacancies would approximate 5 to 10 percent. We cannot speak of the functioning of the law of supply and demand unless we have vacancies approximating from 5 percent to 10 percent.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. ELLENBOGEN. I am sorry I cannot yield at this time.

Mr. Oliver S. Metzertott, the chairman of the former Rent Commission, testified before our committee; and in order to answer the claim that has been made against the bill that the former Rent Commission increased rents he showed us the report of the Commission—that it had decreased rents. He said to the subcommittee:

I believe there is just as much reason for the regulation of rental property as there is in regulating other things that are used by the public. In one Supreme Court case the Court very carefully pointed out that it is no more unreasonable to regulate the terms or the rent from real estate than it is to pass certain laws; in fact, it said that they thought certain laws were less unreasonable. I believe that the owner of real estate who is holding that property in a jurisdiction where a properly conceived rental board is in existence is not injured, but in the long run will be benefited by it.

The report of the previous Rent Commission, which was made to President Coolidge on May 22, 1925, pointed out at pages 10 and 11 that building construction was not affected by rent legislation. Mr. Metzertott signed that report as chairman of the Commission, which contained a number of recommendations and conclusions, among which was the following:

The only effective protection for tenants of the District is rent regulation by an administrative body created by Congress \* \* \*

Mr. Chairman, the Utilities Commission in the District of Columbia has shown the need for this legislation.

The 1934 report of the Public Utilities Commission on rents and housing conditions in the District of Columbia showed:

That from 1932 until the depression was well under way rentals in the District of Columbia showed a continual increase.

That many cities showed decreases long in advance of those in the District.

That rents decreased less in Washington than in any other city.

That at the time the report was made, January 30, 1934, rents were still 20 percent above the average for the entire country.

That recent arrivals invariably find Washington rents higher, and frequently considerably higher, than they are elsewhere.

In this report on rent and housing conditions in the District of Columbia it was said:

\* \* \* There is certainly a shortage of small houses carrying rents which the lowest paid workers and middle classes can afford.

These conclusions regarding regulation and housing are not new and should not be considered in any sense as merely the result of temporary or emergency conditions. In the report of the Public Utilities Commission of January 30, 1934, it was said in discussing the experience under the Rent Commission legislation:

Emergency hardly seemed the proper word to apply to a condition which for the wage earner and the man of moderate income had become chronic. The only real basis for rent legislation is under the police power inherent in Congress to regulate rentals of properties held out to the public and thereby affected with a public interest. Shelter, if not the prime necessity of life, is at least one of the most essential requisites. Regulation of this sort is essential to the welfare of the community.



The existence of this emergency is shown by the conclusion of the Public Utilities Commission in its report, where it is said:

Great need exists for the regulation of the housing business in Washington. \* \* \* The problems of the landlord and the tenant cannot be met satisfactorily except by establishment of a proper public office made self-sustaining by license or registration fees, which would have as its business the inspection and arbitration of landlord and tenant complaints, the licensing or registration of all landlords and tenants, the keeping of complete housing records, and the establishment of minimum standards for housing in the District of Columbia.

The report of the Public Utilities Commission contained the following significant statement:

Restoration of rents to predepression levels would force Government workers, in the absence of a regulatory law, to adopt one of two unpleasant alternatives to the payment of such rents: To "double up", as they recently did, or to engage in the bitterness and injustices of a general rent strike. No one would gain if either course was followed. The Commission believes that the public would express its resentment at any general rent increases at this time.

The aim of this bill is to prevent such "doubling up", because it results in undesirable health conditions where people are so crowded together that they cannot eat, sleep, and live in a decent manner. Secondly, the aim of this bill is to prevent unnecessary "doubling up", because in the long run it only is disadvantageous to the landlords. As the Commission stated, no one gains from such action. This bill would protect both landlord and tenant in this connection.

The aim of the bill, therefore, is not only to prevent unreasonable and unjust rental increases which result in voluntary or involuntary removals, but to guarantee to the tenant, if he pays a reasonable rent and meets his just obligations, the occupancy of his living quarters.

The bill makes every effort to protect the tenant in this emergency situation but does so not in any manner unfair or unreasonable to the owner of any rental property. By creating an administrative agency to hear and determine complaints there will be guaranteed equity to both tenant and owner. By making it necessary for the commission to consider what the return on the owner's investment will be on the basis of the commission's determination, every protection is given the owner of a just and reasonable return on his property.

The fact that there are and have been abuses in the housing situation was brought out by the statements of Mr. Leroy Halbert, director of research of the Emergency Relief Division of the Board of Public Welfare in his testimony before the Senate District Subcommittee on Rental Investigation in 1932. Mr. Halbert said in speaking of the relief situation then:

I would like to call attention to one thing I consider an abuse. There are landlords who issue an eviction notice every month to keep people scared. Some of them have been paying their rent along for a year who have had an eviction notice every month, and the cost of that is charged up to them on top of their rents because the landlords think that is a good way to keep them keyed up to pay their rents.

This legislation aims to prevent and correct the existence or possibilities of such abuses as these. It aims to give employees, both Federal and non-Federal, the safeguard that during this period of great emergency they will have shelter at reasonable and just rates.

Now, let me give you some figures and facts that I think will interest you. Nearly 55 percent of the homes in the United States in 1930 rented for less than \$30 per month, while in the city of Washington only 22 percent were available for less than \$30 per month. The average in the country was 55 percent in 1930, but in the city of Washington it was only 22 percent.

Let me give you some further information, and this information was prepared by the United States Department of Labor. This Department showed that from June 1929 to December 1933 the rents decreased less in Washington than in any other of the 32 cities for which they collected data. While rents decreased on an average of 32.3 percent in all the 32 cities, in Washington this decrease amounted to only 12 percent.

Mr. Chairman, I now want to show you who is opposing this proposed legislation.

The investigation by the Senate committee showed that the 23 firms in the District of Columbia represented 17,816 dwelling units out of the 70,000. These 23 firms are engaged in a conspiracy to increase the rents in the District of Columbia. These 23 firms are the ones that are trying to kill this legislation.

Mr. BLANTON. Will the gentleman yield?

Mr. ELLENBOGEN. No; I cannot at this time. Not only that, but the Senate committee shows that of these 23 firms, 12 representing 14,845 in the District of Columbia, and that means that the 12 firms control nearly 40 percent of the available dwelling units in the District.

The hearings before a subcommittee of the Senate District Committee on Senate resolution 248, at page 507, show the data presented by Mr. O. H. Brinkman, counsel to the committee, with the data presented from which I have just quoted.

Number of apartments and houses controlled

	Apartment-ments	Houses
H. L. Rust Co.	2,022	500
B. F. Saul Co.	2,016	1,550
H. G. Smithy Co.	1,127	
Wardman Real Estate Properties Co.	869	
Real Estate Mortgage & Guaranty Corporation	541	
Weaver Bros.	539	
Moore & Hill	340	
Charles E. Tribby's Sons	328	
Higbie, Richardson & Franklin, Inc.	190	
Washington Loan & Trust Co.	494	
American Security & Trust Co.	249	
Francis E. Blundon Co.	238	
L. E. Breuninger & Sons, Inc.	329	
Thomas J. Fisher Co.	1,211	
National Mortgage & Investment Corporation	165	
Randall H. Hagner & Co.	1,265	300
T. F. Schneider, Jr., Corporation	590	
Stone & Fairfax	194	
J. C. Weedon Co.	268	
Shannon & Luchs Co.	392	
Boss & Phelps	583	299
Cafritz Co.	806	133
Fidelity Storage Co. (Karrick)	278	
Grand total, houses and apartments	15,033	2,782
Total of 12 leading firms	14,845	

Here is what Mr. Brankman, who was the investigator for the Senate, said at page 508 of the Senate hearings on Senate Resolution 248 of the Seventy-third Congress:

From the foregoing it will be seen that there were in existence and working in close harmony a number of organizations of real-estate agents, owners of apartment properties, and bankers and mortgage loan agents, all having as their common object the "stabilization" of the notoriously high rentals of the District of Columbia and the high prices of Washington real estate.

This closely knit and interlocking combination of building and financial interests has had complete control over probably the majority of apartment houses and mortgaged single dwellings in the District of Columbia.

So the Senate in 1932 found there was an unlawful conspiracy existing in the District of Columbia; and I say on this floor, Mr. Chairman, on my responsibility as a Member of Congress, that it is an unlawful conspiracy that is today trying to thwart the will of the people and kill this legislation without a hearing. [Applause.]

Mr. Brinkman made a careful examination of the minutes and other records of the Washington Real Estate Board, and Mr. Brinkman's conclusions are found, beginning on page 494 of the 1932 Senate investigation hearings, as follows:

These records clearly show upon even casual examination, confirmed by close study, the existence of a combination unlawful in its nature and purpose and oppressive to home buyers and tenants in the District of Columbia, as well as in suburbs adjacent to the District.

Mr. Brinkman showed that the purpose and effect of this combination of real-estate owners and agents was to—

1. Use concerted effort to prevent rent reductions or even slight concessions to tenants.
2. Agree upon and fix minimum and excessive scales of commission for loans upon real estate. \* \* \*



6. Restrained and restricted the giving of free rent as inducement to tenants to sign leases.

7. Held meetings of agents at which it was agreed that rent reductions and repairs of apartments were not "advisable."

8. Establishment by unpublished or unwritten rule of a "black-list" of tenants who had leases with other members of the combination who were unwilling to release them so that they might move, even in cases of dire necessity.

9. Continued effort to restrict apartment properties to the control of one agent only, so that there would be no competition between agents who were members of the board in renting apartments in the same building.

10. Agreeing and fixing of a "standard" minimum commission of 5 percent for the collection of rentals and the management of apartment properties, thus limiting and preventing the benefit of competition for management business, which previously had been handled for 3 percent in many cases.

11. Concerted effort by the Washington Real Estate Board, through a governing committee, to influence judges of the municipal court not to extend leniency in eviction cases to tenants who were about to be moved out into the street without shelter.

12. Attempt to influence newspapers of Washington not to print real-estate advertisements containing such statements as "no agents or brokers need apply."

Mr. Brinkman concluded:

The effect upon landlords and tenants of the unlawful combination was to increase expenses. Not only were the owners of apartment houses burdened with excessive financing charges . . . they were obliged by concerted action and price-fixing activities of board members to pay 5-percent commission—an additional expense which was bound to have an influence in curtailing rent reduction.

In order to protect the interest of the public rents must be regulated in the District. Such regulation must be founded upon protection to all parties concerned. The tenant must be given living quarters for a fair and reasonable rental; the landlord must be paid a rental that will enable him to make a fair and reasonable return on fair investment; the public must be protected from unhealthy and insanitary conditions. H. R. 11563 will accomplish all these purposes.

Now, Mr. Chairman, what about the constitutionality as the basis for this legislation. The act which was passed in 1919 by Congress for the District of Columbia about a year after the war came before the Supreme Court of the United States in *Block v. Hirsh* (256 U. S. 135)—that law was held constitutional.

A similar law passed in the State of New York came before the Supreme Court and was held constitutional.

Then, there is the case of *Marcus Brown Holding Co. v. Feldman* (265 U. S. 170) establishing a rent commission to fix fair and reasonable rents was held justified under the police powers during the period of the emergency. It held that Congress and the State legislature had a right to pass such legislation.

The Supreme Court held further that such legislation was not invalidated because it deprived the owner of a jury trial on the question of the right to possession and declared that compelling the owner to furnish services to the tenant did not constitute an imposition of involuntary servitude in violation of the thirteenth amendment.

Authority to legislate for the District of Columbia is to be found in the Constitution. The bill modeled after the District of Columbia rent law and the New York rent law of September 27, 1920, is valid, according to the case of the *Chastleton Corporation v. Sinclair* (264 U. S. 543 (1924)) so long as the emergency continues.

The influx of Government employees into Washington, which created the emergency considered the basis for the constitutionality of the earlier legislation, applies with equal force to present conditions occasioned, as the statement of public policy in the bill declares, by the war against the depression.

During the life of the legislation which was adopted in the District of Columbia and New York after the war the courts in a number of decisions passed upon different phases of the acts and held valid provisions which authorized the commission upon its own initiative and without complaint to fix the reasonable rent, fix the fair return for rental property, compensate the tenant for inconvenience in connection with his occupancy, permit possession after the expiration of the lease if the tenant continued to pay rent as provided in the

lease, and limited review by an appellate court to errors of law.

Unless the Supreme Court departs radically from the principles pronounced in the cases which have been referred to, the legislation being considered may not be challenged on the ground of constitutionality.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. ELLENBOGEN. May I have 5 minutes more?

Mrs. NORTON. Mr. Chairman, I yield 5 minutes more to the gentleman from Pennsylvania.

Mr. ELLENBOGEN. Mr. Chairman, I call attention of the Committee to a resolution passed by the District Committee of the Senate of the United States in June 1932, which reads as follows:

Whereas it has been brought to the attention of the committee that a combine between property owners and agents exists, the effect of which is to maintain an exorbitant charge for living quarters in the District of Columbia.

Resolved, . . . That it is the sense of the committee that rental properties, apartments, and hotels are affected with a public interest. This policy was formulated in July 1919, and it may well be that prevailing economic conditions justify a revival of the Rent Commission. . . .

That resolution was passed by the District Committee of the Senate of the United States.

In Senate Resolution 248, adopted by the Senate itself at the Seventy-second Congress, first session, it was stated, in part:

. . . the public of the District is paying high rents based upon inflated and fictitious values of rental properties. . . . the Committee on the District of Columbia believes the health and general welfare of the people of said District to be imperiled by the exorbitant demands of landlords. . . .

Is not this statement ample testimony that an emergency has and does exist here in the District of Columbia?

During and as a result of the entire investigation brought about by this Senate resolution, Mr. O. H. Brinkman, counsel to the subcommittee which held the hearings, presented the following as his last point in a series of 11 recommendations to the subcommittee:

11. That Congress declare that a condition of emergency as to housing exists in the District of Columbia, and further declare that housing is a public utility, vesting authority in a housing division of the Public Utilities Commission to regulate rents during a period of 2 years, and to regulate other matters relating to housing in the District.

Mr. Brinkman concluded:

So-called private initiative since the termination of the rent commission has failed utterly to provide the Capital of the Nation with decent and reasonably priced housing accommodations for employees of the Government and thousands of others necessarily living in the District of Columbia. For that reason it would seem reasonable and proper for the Government to exercise its power, based on duty, to protect the welfare of the people.

Mrs. John Boyle, Jr., chairman of the Consumers' Council of Washington, D. C., representing 150,000 consumers in the District of Columbia, working under the general direction of the National Emergency Council, presented this resolution that was adopted by the Consumers' Council to the subcommittee:

Whereas housing conditions in the District of Columbia are such as to injure the public health, welfare, morals, comfort, and convenience in that—

- (a) A scarcity of rental housing persists and is becoming more serious; and
- (b) Rents have been increased in many instances as a result of this scarcity. . . .; and
- (c) The housing of low-income families presents numerous conditions which are socially and economically undesirable; and
- (d) Private enterprise is not meeting the housing needs of the public: Therefore, be it

Resolved by the Executive Board of the Consumers Council of Washington, D. C., That the Congress be requested to take such steps as may be necessary to secure to the public of the District of Columbia at the earliest possible time, effective alleviation of the conditions complained of. . . .

Do not these statements show that something must be done by Congress to alleviate the emergency which exists here?



I should like to have had another half hour to go into this bill, but since my time is so short and has nearly expired I wish to take a few minutes now to answer certain charges against the bill.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. ELLENBOGEN. Yes.

Mr. PATMAN. How many members of the Board are provided in the bill?

Mr. ELLENBOGEN. Three.

Mr. PATMAN. Where will these members reside?

Mr. ELLENBOGEN. These members are to be appointed by the President and they may reside anywhere in the United States. They are to be appointed by the President and confirmed by the Senate.

Mr. PATMAN. Since almost anyone here in the District will have an interest directly or indirectly, would the gentleman agree to an amendment which would permit the appointment of the Board from people living entirely outside the District?

Mr. ELLENBOGEN. I should be glad to agree to that amendment.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. ELLENBOGEN. For a short question.

Mr. BLANTON. Will the gentleman agree to an amendment that the other employees will be taken from outside the District.

Mr. ELLENBOGEN. They may be, under this bill, but I should be very glad to agree to such an amendment.

Mr. BLANTON. The gentleman admits that they may do that?

Mr. ELLENBOGEN. Under this bill they may certainly be taken from outside. I think it is clear in the bill, but if the gentleman thinks it is not clear I would agree to such an amendment.

Mr. BLANTON. I thank the gentleman for his admission. That is what I was trying to get him to admit.

Mr. HOFFMAN. But if you bring all these employees in from the outside would not that make the housing conditions worse?

Mr. BLANTON. Certainly.

Mr. ELLENBOGEN. Oh, you will not need so very many employees.

Mr. HOFFMAN. How many thousands of employees would administer the law?

Mr. ELLENBOGEN. Oh, not thousands at all, not even hundreds; just a few.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. ELLENBOGEN. I shall be glad to when I have finished. The charge has been made that this Commission will not decrease but will increase rents. If this Commission would increase the rents, why does the real estate ring in Washington oppose it? Everyone knows that if this Commission would increase and not decrease rents there would be no opposition from the real-estate interests in Washington; in fact, they would be here lobbying for it.

Mr. GREEN. Has the gentleman found any opposition to the bill except from the real-estate men who are interested, and are they not the only ones who are opposing the bill?

Mr. ELLENBOGEN. None other than I know of. It is also charged by some Members of the House that the cost would be excessive. That charge is answered by the fact that the bill limits the expenses to \$50,000. It has been charged that it would take 10 years to get rid of the Commission, a charge that is absurd in the face of the fact that the bill itself limits it to 3 years, and that it can be repealed by Congress at any time, but could not be extended beyond 3 years without a further act of Congress.

Let me answer some of the arguments that have been made by the gentleman from Illinois [Mr. DIRKSEN] against this bill, and I ask his attention for a moment. Before I go into this I must inform the House that on February 1, 1935, the gentleman from Illinois [Mr. DIRKSEN] introduced House Joint Resolution 150, in which he tried to accomplish a similar thing at that time. Evidently the gentleman was convinced that rents in the District of Columbia were far too high and that they needed regulation. Let me read you section 2 of that resolution:

It is hereby declared that the provisions of this resolution are made necessary by conditions resulting from the sudden and great expansion of activities of the Federal Government during the present acute economic emergency, which, in connection with other circumstances arising in such emergency, have resulted in a shortage of housing space in the District of Columbia and in rental conditions in the District of Columbia dangerous to the public health and burdensome to public officers and employees whose duties require them to reside within the District of Columbia, and other persons whose activities are essential to the maintenance and comfort of such officers and employees, and thereby embarrassing to the Federal Government in the transaction of public business.

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mr. ELLENBOGEN. Mr. Chairman, will the gentlewoman from New Jersey give me 5 minutes more?

Mrs. NORTON. I am sorry, but my time is entirely taken.

Mr. ELLENBOGEN. Will the gentlewoman give me 2 minutes more?

Mrs. NORTON. Mr. Chairman, I yield the gentleman from Pennsylvania 1 minute more.

Mr. ELLENBOGEN. I must answer the charge made by the gentleman from Illinois [Mr. DIRKSEN]. The gentleman from Illinois pointed out the fact that my bill contains a provision that new buildings in course of construction when the act was passed, or to be constructed hereafter, are excepted from the bill and that that would be discrimination, which would make the bill unconstitutional.

Any doubt as to the validity of the type of classification effected by the inclusion of the provision exempting from regulations houses in the course of construction or whose construction is to be commenced subsequent to the effective date of the act, is easily resolved. The New York emergency rent law passed in 1920 (c. 944, Laws of 1920, amending c. 136, Laws of 1920), contained a provision, as follows:

10. This act, as hereby amended, shall not apply to a new building in the course of construction at the time this amendment takes effect or commence thereafter, and shall be in force until November 1, 1922.

It will be observed that the provision in the New York law was to all intents and purposes identical with section 21 of H. R. 11563. The validity of the provision in the New York law came up for consideration by the Supreme Court in the case of *Marcus Brown Holding Co. v. Feldman et al.* (256 U. S. 170 (1921)). In that case the brief of the appellant as digested on page 180 of the United States Reports argued:

Assuming that the State has the power, directly or indirectly, to subsidize new buildings either by cash payments or by remission of taxes, it has no power to discriminate between existing buildings and the owners of buildings to be erected, in respect to their compensation for the use of their property.

In answer to this contention, Mr. Justice Holmes, speaking for the Court, stated on page 198:

It is said, too, that the laws are discriminatory, in respect of the cities affected and the character of the buildings, the laws not extending to buildings occupied for business purposes, hotel property, or buildings now in the course of erection, etc. But as the evil to be met was a very pressing want of shelter in certain crowded centers, the classification was too obviously justified to need explanation beyond repeating what was said below as to new buildings, that the unknown cost of completing them and the need to encourage such structures sufficiently explain the last item on the excepted list.

This case is a direct and unimpeachable constitutional precedent for the inclusion of section 21. In the face of this authority, how can it be argued that the provision is unconstitutional? The power of Congress to select the subjects of its regulation or taxation in legislation has been recognized in numerous cases decided by the Supreme Court. The only limitation upon such classification is that imposed by the due-process clause of the fifth amendment to the Constitution. Due process requires that the classification be not arbitrary and capricious and that it have some reasonable relation to the purpose of the legislation.

Such reasonable relation is easily discernible in the classification attempted by section 21 of H. R. 11563 in that the object of the statute is to relieve oppressive housing conditions. Legislation which discourages building activities tends to intensify the conditions sought to be alleviated;



legislation which favors and encourages building activities is one direct means of achieving the purpose of the statute.

Hence a provision which exempts houses under construction at the time of the effective date of the act or commenced thereafter has a reasonable relation to the purposes of the legislation and does not constitute an invalid classification.

I invite the gentleman's attention to the opinion of the Supreme Court, which discussed the New York law, which contained the same provision. The Supreme Court said that such a clause would not be discriminatory, but was proper classification because it was in the interest of providing additional apartments and houses. [Applause.]

The CHAIRMAN. The time of the gentleman from Pennsylvania has again expired.

Mrs. NORTON. Mr. Chairman, I yield 5 minutes to the gentleman from Indiana [Mr. SCHULTE], a member of the committee.

Mr. SCHULTE. Mr. Chairman, the rules of the House prevent me from using the language that was used by a great many Members coming here answering six roll calls this afternoon, owing to the fact that several Members have undertaken to chastise the entire House by filibustering on a bill of this kind. We members of the committee resent the attack that has been made upon our chairman in doing everything they possibly could to stop us from legislating for the best interests of the people of the District of Columbia. I want to say, as one member of this committee, that I am not going to allow anyone to stand in my way, irrespective of who he may be or what he thinks of me.

Just think of what has happened, and the time that has been lost in six roll calls. Very important committees are meeting right at this moment on flood control. They have had to stop six times to come here and answer roll calls. Members of the Committee on Appropriations, six times; members of the Ways and Means Committee, six times; members of the Committee on the Judiciary have had to come here six times. For what? Owing to the fact that one or two men want to carry on a filibuster, opposed to the people of the District of Columbia receiving some relief. They are today being gouged by real-estate men. I wonder if the sinister influences are working to the best interests of these gentlemen.

Mr. BLANTON. Mr. Chairman, I ask that the gentleman's words be taken down.

Mr. SCHULTE. I want the gentleman to wait.

Mr. BLANTON. I ask that the gentleman be made to sit down and that his words be taken down.

Mr. SCHULTE. The gentleman cannot make me sit down.

Mr. BLANTON. I can do it. I ask that the gentleman be made to take his seat.

The CHAIRMAN. The gentlemen will take their seats.

Mr. BLANTON. A point of order, Mr. Chairman. I ask that the gentleman's words be taken down.

The CHAIRMAN. The Clerk will report the words objected to.

The Clerk read as follows:

I wonder if the sinister influences are working to the best interests of these gentlemen.

Mr. BLANTON. Mr. Chairman, I want the full reference there; I want sufficient of the words taken down to show that the reference was to the gentleman from New York [Mr. TABER] and myself, who caused these roll calls to be made.

The CHAIRMAN. The Clerk will read the words objected to.

The Clerk read as follows:

Mr. SCHULTE. Owing to the fact that one or two men want to carry on a filibuster, opposed to the people of the District of Columbia receiving some relief. They are today being gouged by real-estate men. I wonder if the sinister influences are working to the best interests of these gentlemen.

The CHAIRMAN. The Committee will rise.

The Committee rose; and the Speaker having resumed the chair, Mr. DIES, Chairman of the Committee of the Whole House on the state of the Union, reported that that Com-

mittee, having had under consideration the bill H. R. 11563, certain words used in debate were objected to, which, on request, were taken down and read at the Clerk's desk, and that he reported the same herewith to the House.

The SPEAKER. The Clerk will report the words objected to in the Committee of the Whole House on the state of the Union.

The Clerk read as follows:

Mr. SCHULTE. Owing to the fact that one or two men want to carry on a filibuster, opposed to the people of the District of Columbia receiving some relief. They are today being gouged by real-estate men. I wonder if the sinister influences are working to the best interests of these gentlemen.

The SPEAKER. The Chair is ready to rule.

There is no reference in the language to just who is carrying on a filibuster, if one has been carried on during the day. [Laughter.] The Chair is not in position to say that there has been a filibuster carried on. We have had a number of roll calls. The Chair is not going to say officially that there has been an actual filibuster. No reference is made to any particular Member of the House in the remarks of the gentleman from Indiana.

The Chair fails to see anything objectionable in the language referred to, and so holds.

The Committee will resume its session.

The Committee resumed consideration of the bill H. R. 11563, with Mr. DIES in the chair.

Mr. BLANTON. Mr. Chairman, I move that the gentleman proceed in order.

Mr. O'CONNOR. Mr. Chairman, there is no necessity for that motion. The remarks of the gentleman from Indiana have not been ruled out of order. The motion itself is not in order.

The CHAIRMAN. The gentleman will proceed in order.

Mr. O'CONNOR. The gentleman has not been ruled out of order.

The CHAIRMAN. The Chair did not rule that he was.

Mr. SCHULTE. Mr. Chairman, it is unfortunate that these conditions do arise, especially so when there is a little relief in sight for the poor souls who are being oppressed. A bitter fight has been waged on this particular piece of legislation, a piece of legislation that is going to benefit every man that is here in the District of Columbia and the constituents of every Member of the House as well. They are trying to make this a model ordinance, a model law, that will show to the universe that we are trying to help someone by giving an opportunity to some of the other States to relieve those who are being oppressed.

Think of the situation of these low-paid employees. Here is a little stenographer, earning perhaps not over \$120 a month, whose rent is \$65 or \$70 a month, if he or she is fortunate enough to secure a flat or a one-room apartment at that figure.

There is no question in the mind of anyone here but what if this bill is enacted into law it will afford relief to these people whom we are trying to help and protect in spite of the men who are trying to block this legislation.

Mrs. NORTON. Mr. Chairman, will the gentleman yield?

Mr. SCHULTE. I am glad to yield to the chairman of our committee.

Mrs. NORTON. On the point of roll calls, I sent an inquiry to the Congressional Library and I find that the roll calls today have cost the taxpayers of this country \$3,324. It is estimated that a roll call costs \$54, and that the value of the Members' time taken in a roll call amounts to \$500.

So that the six roll calls have cost the taxpayers of the country \$3,324. In speaking of the time of the Members taken from the various committees, I think that should be put in to make the record complete.

[Here the gavel fell.]

Mr. ANDREWS of New York. Mr. Chairman, I move that the Committee do now rise.

The question was taken; and on a division (demanded by Mr. ANDREWS of New York) there were—ayes 17, noes 56.

So the motion was rejected.

Mr. DIRKSEN. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. BLANTON].



Mr. BLANTON. Mr. Chairman, I have not forgotten the oath that I took as a Representative of the people of this Nation to support the Constitution of the United States.

Whenever I find a bill before this body that I believe is unconstitutional, from now on you will find me opposing it. I voted for some measures during the depression that I felt were unconstitutional. You could not stop them by a point of order, because under our rules that is a matter for the House to decide by its vote. It is a matter for the Supreme Court ultimately to decide under our system of a three-branch Government, all separate and distinct from each other.

I realized that the President of the United States was elected by the people to carry out a certain program of economic recovery. I felt that our President was entitled to have a chance to put his policies into effect. When bills have been brought up here by the administration during this depression period that I felt convinced were unconstitutional, I voted for them nevertheless, giving the President the benefit of every doubt, but I am not going to do it any more. The time has come when Members must vote in accordance with their oaths and in accordance with their judgment on these bills, and that is exactly what I expect to do in the future.

I have no apologies to make to anybody for doing anything and everything that is known to parliamentary skill to stop this bad bill, because I know that it is unconstitutional. Talk about expense to the Government in a roll call. That is foolish. We Members are here to answer all necessary roll calls, and all roll calls needed to stop a bad bill are necessary. Why, I would have 50 roll calls if it were necessary, and if it would stop this bill. What is more important about our service than to answer a necessary roll call? We would save thousands and thousands and even hundreds of thousands of dollars ultimately, provided we could stop this bad bill from passing and keep it from becoming a law.

Mr. Chairman, who has been fair about this business? They talk about a filibuster. The gentleman from New York [Mr. TABER] has been here a long time. He is one of the most valuable Members on the other side of the House. There is not a more valuable legislator who ever sat on the floor of this House than the gentleman from New York [Mr. TABER]. He has done what he thought was his duty under his oath to stop this bad bill, whether it took roll calls or not. We Members who have been here a long time, and who know the business of this House, know that these roll calls have cost nothing. All of us here get regular salaries. All of us are paid for our full time. We are paid to answer roll calls. What is a roll call when it is a question of passing an unconstitutional measure and one that is against the very fundamental principles of the Constitution of the United States?

Mr. Chairman, when this matter first came up we went to the gentleman from Pennsylvania [Mr. ELLENBOGEN] and tried to have a fair division of time in order properly to discuss this measure. We could not get an agreement out of him. That is the reason we filibustered to stop this bad bill. It was our only recourse. We were determined that this bill should be fully and properly debated on this floor.

Mr. ELLENBOGEN. Will the gentleman yield?

Mr. BLANTON. No. I am sorry I cannot yield now.

The CHAIRMAN. The gentleman declines to yield.

Mr. BLANTON. Mr. Chairman, again today we tried to get a reasonable agreement for proper debate. Under the rules of the House I was recognized heretofore by the Chairman. Under the rules I was entitled to 1 hour. I used 20 minutes of my time and, under the rules, reserved the balance of my time, which gave me the right to yield it to others. When I reserved that 40 minutes of time the rules gave me the right to yield to Members on the floor here who are against this bill and to whom I promised that time.

Did I not have the right to do that under the rules of the House? Certainly, I did, and who was unfair? Who made a motion to keep me from doing this? The chairman of the committee [Mrs. NORRIS] made a motion that prevented me from having the 40 minutes to which I was entitled under

the rules of the House, and which 40 minutes she knew I had promised to eight other men who are against this bill, because I had told her about it, and in our agreement she had admitted I was entitled to it. Who was unfair about it?

Regarding the speech of the gentleman from Indiana [Mr. SCHULTE] I will put my work here against his as to whether or not it is constructive, as to whether or not it has been beneficial to the people of the United States, as to whether or not it is free from every kind of "ism" you can think of except Americanism, as to whether or not it is absolutely free and untrammelled by any kind of interest. What interest has ever controlled me since I have been on this floor for 20 years? Not one. Talk about real-estate interests! Where is the real-estate interest that in any way influences me in this matter? Why, I do not know the real-estate men in Washington who may be interested against this bill and have not spoken to one in 10 years, to know it.

I am against this bill for three reasons. First, I know it is unconstitutional. You talk about an alleged acute housing situation. Why, get your Washington Star of yesterday and look at the great number of apartments now for rent, look at the great number of residences now for rent in Washington. Vacant residences and apartments without anybody in them; and then talk about a shortage of housing here. There is no such shortage in Washington. That is a farce on its face. The Supreme Court would knock this bill out so quick, if it were to pass, that it would make your head swim, provided it ever got the chance. The trouble about it is that this bad bill would be in effect for at least 2 years before it could ever reach the Supreme Court, and you would have all the evil effects from it for 2 years before it could be annulled.

I made the gentleman from Pennsylvania [Mr. ELLENBOGEN] admit that every one of this army of employees—and they will have an army of high-salaried employees—they had an army of them before and it took us years and years to get rid of that expensive bureau—every one of them could be taken from outside of Washington, both officials and employees, and what effect would this have? It would increase and intensify the rental situation in Washington. You would have extra employees and officials coming in here and it would make the demand for apartments greater and the rents would go up.

Why, the very minute you would pass this bill and have a little old rent commission interfering and sneaking around into other people's private business and have this complaint after that complaint made against these apartment houses and other rental places, they would have to employ high-priced lawyers to protect their interests, and you would find rents, just like they did when we passed the other bill, going up at least 20 percent, for the extra expense would be passed on to the people who rent. When they passed the other bill my rent immediately went up \$20 a month, and I had to pay this for several years. This is what will happen again if you pass this bill.

Besides its being unconstitutional and besides its not doing what they think it will do, but just the opposite, I want to show you what a useless, wasteful, expensive bureau it will create. I quote from the bill:

Each commissioner shall receive a salary of \$5,000 a year, payable semimonthly.

The gentleman from Pennsylvania says that is not a high salary. He says that somebody suggested \$3,000 and he says \$3,000 is too little. I will guarantee that there are some high officials in Washington who never drew as much as \$3,000 a year in their life until they got a job with the Government.

Mr. ELLENBOGEN. Mr. Chairman—

Mr. BLANTON. Mr. Chairman, I do not yield now. I may yield later, but I want to continue my own remarks now.

The CHAIRMAN [Mr. UMSTEAD]. The gentleman declines to yield.

Mr. BLANTON. After all, \$3,000 is a pretty big salary. There are mighty few people in the United States, comparatively, who get over \$3,000. Did you know that?



Do you know that in several States there are circuit judges now who try men for their lives, who try cases involving millions of dollars of property rights, who try domestic rights of families, who do not get much over \$3,000? Do you know there are some governors who do not get much over that? The Governor of Texas gets only \$4,000 per year salary.

And yet the gentleman wants to pay these little old rent commission members \$5,000 a year. It is like one of our friends who is so sympathetic and big hearted with other people's money, the public money, that when the flood came he immediately introduced a bill or suggested one to appropriate a billion dollars for relief.

Mr. DUNN of Pennsylvania. Will the gentleman yield?

Mr. BLANTON. Congress has been appropriating money in such big sums that some do not know what a billion dollars means.

Mr. DUNN of Pennsylvania. Will the gentleman yield?

Mr. BLANTON. Of course I will yield to the gentleman, who is one of the biggest-hearted men in the House with other people's money.

Mr. DUNN of Pennsylvania. Did not the gentleman vote for a \$3,000,000 appropriation for the Texas centennial? That was public money, too.

Mr. BLANTON. That was to celebrate the centennial for a republic that brought into the Union immense landed territories that now constitute a great part of the United States. If my friend from Pennsylvania will go to Texas this year and get imbued with the principles that surround San Jacinto, where my mother's uncle, James Monroe Hill, happened to be with Gen. Sam Houston when General Santa Anna was captured, if he will go down around the Alamo and old Gonzales, and other places, he will get \$3,000,000 worth of information and pleasure. [Laughter.]

Mr. DUNN of Pennsylvania. Will the gentleman yield?

Mr. BLANTON. I am sorry, I cannot yield further. Let me quote section 4, and show you what is in this bill:

Sec. 4. Each commissioner shall receive a salary of \$5,000 a year, payable semi-monthly. The commission shall appoint a secretary, who shall receive a salary of \$3,000 a year, and an attorney who shall receive a salary of \$3,500 a year payable in like manner; and subject to the provisions of the civil-service laws, it may appoint and remove such other officers, examiners, engineers, appraisers, attorneys, employees, and agents and make such expenditures for rent, printing, telegrams, telephone, law books, books of reference, periodicals, furniture, stationery, office equipment, and other supplies and expenses as may be necessary to the administration of this act.

Do you know that eventually the above expensive new Bureau could cost us several hundred thousand dollars, if this bill should pass, before we could get it abolished? Why, like the last Commission, it could be extended and extended before the Supreme Court would get a chance at it.

Do you think the Secretary should receive \$3,000? Do you think the regular attorney should receive \$3,500? And notice that besides appointing officers, without limit, and examiners without limit, and engineers without limit, and appraisers without limit, the commission is given the carte blanc authority to appoint any number of extra attorneys without limit. The gentleman from Pennsylvania thinks they will be limited by the appropriation mentioned in this bill. When he has been here as long as I have he will know that if a bureau is given legislative authority to appoint officers, engineers, and lawyers, and employ people, without limitation as to numbers, and at a salary, not definitely fixed, and make contracts, Congress is going to pay for it. No Congress would turn down those contracts. I have seen it done many, many times, where a big bureau has been established, authority given to employ clerks and attorneys, Congress has always come in and made those contracts good.

I want you to notice again that this bill, in section 4, gives these commissioners carte blanc authority to employ any number "of officers, examiners, engineers, appraisers, attorneys, employees, and agents", without any limitation whatsoever, and that also without any limitation, this bill gives them carte blanc authority to make any amount of expenditures, with the blue sky as a limit, that they want to, for

rent, printing, telegrams, telephone, law books, books of reference, periodicals, furniture, stationery, office equipment, and to cap it all, any other supplies and expenses as it may deem necessary.

It could spend \$50,000 for rent. It could spend \$50,000 for law books. It could spend \$100,000 for furniture. It could spend \$25,000 for office equipment. Because, if it executed Government contracts for same, Congress would have to pay the bills, because this legislation gives the carte blanc authority.

Under Civil Service rules and the 1923 Classification Act I know officials here in the District of Columbia who get \$9,000 a year, who before the act of 1923 was passed received only \$5,000 per annum. I know an auditor here who gets \$9,000 a year. I know a chief of police here under the said 1923 act who gets \$8,000 a year and a fire chief here in the District of Columbia, under the same bill referred to, who gets \$8,000. I know a superintendent of schools here who gets \$10,000 a year, the biggest salary that any superintendent of schools gets in any comparable city in the United States. I know of numerous officers here who get \$7,500 a year plus some of their expenses. Some of them just give part time. Lots of them are selling their services to other people on the outside.

Under this bill you could have an army of officers and employees here with big salaries, and we would have to pay for them, and that is what I am fighting against; that is why we had these absolutely necessary roll calls. I do not want this unconstitutional measure to pass. I do not want to see it become a law and have to go to the courts and run the gamut at the expense of our constituents and be held unconstitutional in the end at the expense of the people.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Not now. I regret I have not the time. You are not just authorizing the appointment of an army of officers. Remember that under this bill they can appoint examiners, engineers, appraisers, attorneys, employees, and agents, just as many as they may want, without any limitation whatsoever.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. I yield.

Mr. DIES. I call the gentleman's attention to the fact that section 24 of the bill gives Congress the right "to alter, amend, or repeal any provision of the act."

Mr. BLANTON. That is the most absurd, ridiculous provision I ever saw in a bill. That is absolutely childish; and if this high-class committee which the gentleman from Indiana [Mr. SCHULTE] talks about will stop bringing in fool measures like this, we will not have to filibuster to stop their passage. The idea of Congress reserving the right "to alter, amend, or repeal the act"! That is something fundamental under the Constitution of the United States. That is a right Congress already has, which Congress cannot take away. You can pass any kind of a law, and the next or the succeeding Congress, or any other Congress, could hold it null and void by passing a law repealing it or changing it in any way that it sees fit. We have no control on any future Congress.

Mr. O'MALLEY. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. In just a moment, if I should have time. Regarding the attorneys, without limit as to number, who, under this bill, this commission may appoint, their salaries are not fixed. Do gentlemen know that for one little bureau down here we have a lawyer who gets \$16,500 a year? Do you know that at one time the Veterans' Bureau had 876 lawyers? Some were lawyerettes, but they got lawyers' salaries. That is what I am trying to stop. The people whom I represent in Texas do not believe in that sort of extravagance and waste.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. The people I represent must not be like the people from the three districts in New Jersey or Indiana or Pennsylvania that are trying to put over this bad bill. I yield to my friend from New York, who has aided me materially in thus far stopping this bill.



Mr. TABER. Does the gentleman believe that any \$16,500 lawyer drew this bill?

Mr. BLANTON. No. I think the lawyer who drew this bill would not be able to earn 30 cents. A justice of the peace could draw a better bill than this.

Mr. O'MALLEY. Was the bill drafted by the legislative drafting service?

Mr. BLANTON. I do not think that could be possible. It comes here by the Ellenbogen route from a part of Pennsylvania. Mr. Chairman, we functioned here a long time before the distinguished gentleman from Pennsylvania [Mr. ELLENBOGEN] arrived, and we passed some pretty good laws before he came here, and we will pass some pretty good laws after he leaves.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mrs. NORTON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. UMSTEAD, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 11563, and had come to no resolution thereon.

#### EXTENSION OF REMARKS

Mr. DIES. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made this afternoon and insert the remainder of the two news articles I read from.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. BETTER. Mr. Speaker, I ask unanimous consent that on tomorrow, after the reading of the Journal and disposition of matters upon the Speaker's table, I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, some of us are hopeful that we will be able to finish the Pettengill bill tomorrow and have a vote on it. Unless the gentleman from New York has some very good reason why he should speak tomorrow, I think I would be obliged to object.

Mr. BETTER. I will state that I desire to speak tomorrow on the Public Works Administration.

Mr. MARTIN of Massachusetts. Mr. Speaker, I object.

#### VETERANS' BENEFITS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Speaker, this morning I asked permission to insert in the RECORD a statement in regard to veterans' benefits, a statement that has required months to compile. It will answer every question that any veteran or dependents of veterans can ask. It is similar to a statement I prepared 2 years ago, of which several hundred thousand copies were printed and distributed to veterans' organizations. It is more full and complete. It is very much needed. There is not anything like it in existence now. It has been carefully prepared. It brings all laws and regulations down to date. It may be referred to as the "veterans' bible" on veterans' benefits and privileges. I believe it will answer 98 percent, if not more, of all questions that are usually asked on this subject. It will be a great benefit to veterans, their dependents and beneficiaries, veterans' organizations and representatives, and to Members of Congress. Mr. Earl D. Chesney, liaison representative of the Veterans' Administration, has assisted in its preparation. The Veterans' Administration has cooperated in its preparation and has gone over it carefully. It contains valuable information, and is as full and complete as it is possible to make it without quoting all laws and regulations. It includes not only pensions and benefits to veterans, but it also includes other benefits, including civil-service rights, and

explains very fully every law relating to veterans. I hope to have it printed in pamphlet form in order that it may be made available to all interested parties. It will be about 48 pages, pamphlet size, and will likely cost \$69.94 for the first thousand and \$14.03 for each additional thousand. After the first thousand the cost will be less than 1½ cents each. No one will make any profit out of it, except the Government, on printing.

I ask unanimous consent, since the Printer has returned it with an estimate of cost, because it is more than two pages, that it be inserted in the RECORD, notwithstanding it has been returned under the rule requiring an estimate of cost. I have shown it to a number of Members, and the estimate of cost, and they all agree that it is a valuable compilation and should be inserted.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

#### FLOOD RELIEF

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to insert in the RECORD as a part of my remarks, a telegram from the New England Council, regarding reconstruction as a result of the terrible flood in Massachusetts.

I also ask unanimous consent to insert, as a part of my remarks at this point, a radio speech I made to my people in Lowell, praising them for their wonderful courage during this recent disaster.

I earnestly hope, Mr. Speaker, that the House of Representatives, the President, and the entire country, will help us in our hour of great need.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. BANKHEAD. Reserving the right to object, Mr. Speaker, and I shall not object, in connection with the last statement made by the gentleman from Massachusetts, I want to call her attention to the fact that the President of the United States has already set aside the sum of \$43,000,000 to be devoted exclusively to rehabilitation services in connection with the flood disaster.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I realize that; but I also realize that we are going to need a great deal more than \$43,000,000. We need more money and more men to clear up the debris. The work must be done immediately or we shall have an epidemic.

Mr. BANKHEAD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The matter referred to is as follows:

[Telegram]

HON. EDITH NOURSE ROGERS,  
United States House of Representatives,  
Washington, D. C.:

We feel that next to relief of human distress in flood areas the resumption of operations by all industries is most important objective. We anticipate that many smaller industries may need financial assistance in repairing plants and reemploying workers, and we have already directed attention to loaning powers of Federal Reserve Bank and Reconstruction Finance Corporation. Suggest some definition of policy or broadening of authority by those two agencies might be helpful. We also urge necessary legislative and administrative actions to insure execution of pending river survey projects and creation of necessary State and interstate authorities so that our States can work together in execution of effective and coordinated program of interstate flood-control works.

DUDLEY HARMON,

Executive Vice President, New England Council.

RADIO ADDRESS OF HON. EDITH NOURSE ROGERS OVER STATION WLLH, LOWELL, MASS., SATURDAY, MARCH 21

First of all I want to say how immensely proud I am of the people of Lowell. You who have suffered such tremendous losses in this great catastrophe have made me proud by the way in which you have stood up under disaster. You who have risen to this emergency and have devoted your time and money to relief also make me proud that I belong to Lowell. I tried to



fly from Washington yesterday so that I could be with you last night. All the airports at the Capital are under water, so I had to take the train, delaying my arrival until today.

There is not praise enough that I can offer the Red Cross for its work in this emergency. Not only the generals of the Red Cross have worked tirelessly but the privates have thrown themselves into the spirit of the emergency. Red tape has been cut; people have been fed, housed, and clothed to relieve any actual suffering. Homes have been thrown open. Churches have been placed at the disposal of refugees. Doctors and nurses have cooperated in long and arduous hours of duty. Women sewers of the W. P. A. have risen to the occasion and along with volunteers made the sandbags that saved the city from even worse damage. The women here worked from 12 noon until 4:30 the following morning—some being notified as they worked that their homes were lost and swept away. Telephone operators, the police, and firemen have worked without rest or relief. City workers and the W. P. A. men have remained on the firing line hour after hour without relief and for long periods, with no food or a chance to get dry clothing. The Legion veterans, of course, were on the job from the first moment of danger. They always are.

It is the same wartime spirit that dominated America when we faced the world crisis in 1917. But now it is mobilized as a peacetime cooperation to help and assist our neighbors and friends. I am tremendously proud of the way my home city has responded.

I have gone through the flooded areas and visited many of the refugee stations established by the Red Cross. We face a huge task of rehabilitation. It is my hope that much of the rebuilding and repair work on the homes damaged and destroyed can be done as a relief project. I shall press that matter on the President and relief heads on my return to Washington on Monday. I have already done so by telephone and telegram. Some assistance must be given our citizens who have lost their lifetime savings through no fault of their own. It will certainly be more constructive than some of the projects on which Federal funds have been expended.

Red tape must be cut. There can be no wasted time. Today I was able, fortunately, to expedite matters in several instances for the Red Cross and W. P. A. authorities. I might say here that the operators in our Lowell telephone exchange were of great assistance, getting my emergency calls through to the Capitol and to the White House.

I intend also to urge a larger share of the flood appropriation for New England. Also, I shall urge that funds available for increased W. P. A. activities in connection with the flood be released at once. Mr. Paul Edwards, State administrator of the W. P. A., has promised every cooperation possible.

Today I talked with the Washington W. P. A. headquarters in an effort to have emergency regulations that will permit the purchase of shoes and clothing, blankets, sheets, etc., locally. That would help industry and shops, as well as save time.

At my request, Mr. Paul Edwards came to Lowell this afternoon. Together we went over the flood situation, and I assure you he is heart and soul for any measures that will aid us here in Lowell. He is a fine, honorable, and able gentleman, deeply interested in this relief work. I feel sure of his cooperation in whatever is best for the Lowell district.

Today also, I have gone over the situation with Walter Relly, Theodore Reed, Dr. Marshall Alling, and William G. Spence of the Red Cross. We in Lowell owe them a tremendous debt of gratitude for the way they have taken hold in this emergency. Their great need at this moment is funds. I know Lowell will, as usual, be generous and give them the money to work with. It will be expended wisely and well, with not a wasted penny. The manner in which the whole city is taking hold and carrying on gives one a thrill and pride beyond expression. It has been estimated that there are 5,000 people homeless here. You and I know that they will be cared for.

Monday I will introduce enabling legislation to permit reconstruction, as an emergency measure, of Central Bridge, as part of the Federal highway system. This has been approved by Commissioner Callahan, of the State department of public works. This will provide work and Federal funds in the district.

I have also been in conference with your good mayor. He is about exhausted with lack of sleep and long hours of devotion to his city. He has given everything he had to prevent greater disaster and relieve the suffering. I have again offered him my cooperation in every movement to expedite rehabilitation of our city and relief for the victims.

I want, again, to tell you how wonderful you are in good times and in disaster. There are not words enough to say in praise of the spartan spirit of the disaster victims. You are already planning on a fresh start. I can see no reason why our Government should not help you with it. I know you will win through, as you always have. Your courage and fortitude are too great for words. Those who have given up their private interests to give their services to this relief—you, too, are too fine for words. The newspapers have done everything possible. Our Lowell radio station has united families, found lost members, assisted the police and relief agencies, and altogether made us happy to have WLLH in our midst. Lowell will always be grateful to the neighboring towns, which sent men, provisions, boats, and other forms of assistance.

I shall carry back to Washington with me a picture of a great disaster, but also of a great city which has taken disaster as great Americans, already helping each other and planning for the future together as neighbors and friends.

#### SPECIAL COMMITTEE TO STUDY ORGANIZATION OF THE EXECUTIVE BRANCH OF THE GOVERNMENT

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent that the Clerk may read a letter from the President of the United States addressed to the Speaker of the House.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. BANKHEAD].

There was no objection.

The Clerk read as follows:

THE WHITE HOUSE,  
Washington, March 20, 1936.

HON. JOSEPH W. BYRNS,

*The Speaker, United States House of Representatives.*

MY DEAR MR. SPEAKER: Last October I began holding some conversations with interested and informed persons concerning what appealed to me as the necessity of making a careful study of the organization of the executive branch of the Government.

Many new agencies have been created during the emergency, some of which will, with the recovery, be dropped or greatly curtailed, while others, in order to meet the newly realized needs of the Nation, will have to be fitted into the permanent organization of the executive branch. One object of such a study would be to determine the best way to fit the newly created agencies or such parts of them as may become more or less permanent into the regular organization. To do this adequately and to assure the proper administrative machinery for the sound management of the executive branch, it is, in my opinion, necessary also to study as carefully as may be the existing regular organization. Conversations on this line were carried on by me during November and December, and I then determined to appoint a committee which would assist me in making such a study, with the primary purpose of considering the problem of administrative management. It is my intention shortly to name such a committee, with instructions to make its report to me in time so that the recommendations which may be based on the report may be submitted to the Seventy-fifth Congress.

The Senate has named a special committee to consider aspects of this general problem, and I respectfully suggest that the House of Representatives also create a special committee of a similar character through which the House of Representatives could cooperate with me and with the committee that I shall name in making this study in order that duplication of effort in the task of research may be avoided and to the end that this study may be made as fruitful as possible.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent, but may in a moment withdraw the request, for the immediate consideration of a resolution I have prepared to carry into effect the President's request in reference to this matter.

In this connection, in order to save time, it is a somewhat lengthy resolution, I think it proper for me to state that I conferred with the minority leader about the matter, and I understood that he felt that under all the circumstances he would be constrained to object.

Mr. SNELL. Mr. Speaker, I feel it is rather unusual to ask unanimous consent to consider such an important resolution as has been suggested by the majority leader. This matter has been before the Executive for 3 years. I do not see that he has taken any especially constructive steps along this line. This is a matter of great importance. It should be considered by the Rules Committee. Bearing in mind the fact it has gone over for 3 years, I do not think it would delay the matter very much if it went over a few days longer, and I shall be obliged to object to the last request of the gentleman from Alabama.

Mr. BANKHEAD. Mr. Speaker, I ask that the resolution may be placed in the basket for consideration.

#### CALENDAR WEDNESDAY BUSINESS

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday of this week may be dispensed with.



The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. SCOTT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute to read a very short letter from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCOTT. I think this will be interesting to some Members of the House. This is a letter I received from one of my constituents:

TOWNSEND CLUB, No. 4,  
Long Beach, Calif., March 16, 1936.

Hon. BYRON M. SCOTT,  
Washington, D. C.

DEAR MR. SCOTT: As a good Democrat, a representative of the common people, why don't you try and get Congress to have a \$50,000 investigation of the Republican National Committee and have them stop the racket they have started to sell to us doddering, deluded Republicans, worthless pieces of paper at a dollar a throw, for the purpose of paying the big bosses big salaries to try and defeat you loyal Democrats for office?

I believe us Republicans should be protected from these racketeers.

Yours for action—a lifelong Republican.

Yours truly,

A. H. PARSONS.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. WOLCOTT, for 1 week, on account of illness in his family.

To Mr. HOBBS, indefinitely, on account of important official business.

To Mr. ZIONCHECK (at the request of Mr. BYRNS), indefinitely, on account of important business.

To Mr. SIROVICH, for 1 week, on account of sickness.

#### SENATE JOINT RESOLUTION REFERRED

A joint resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. J. Res. 234. Joint resolution authorizing the Senate Special Committee on Investigation of Lobbying Activities to employ counsel in connection with certain legal proceedings, and for other purposes; to the Committee on the Judiciary.

#### ADJOURNMENT

Mr. BANKHEAD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 13 minutes p. m.) the House adjourned until tomorrow, Tuesday, March 24, 1936, at 12 o'clock noon.

#### COMMITTEE HEARING

##### PUBLIC LANDS

The Committee on the Public Lands will hold a hearing Tuesday, March 24, 1936, at 10:30 o'clock a. m., in room 328, House Office Building, to consider various bills.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

736. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal years 1936 and 1937, amounting to \$1,410,000, together with a draft of a proposed provision pertaining to an existing appropriation, for the Department of Commerce (H. Doc. No. 435); to the Committee on Appropriations and ordered to be printed.

737. A letter from the Comptroller of the Currency, transmitting, in accordance with section 333 of the Revised Statutes as amended, a copy of the Text of the Annual Report of the Comptroller of the Currency for the year ended October 31, 1935; to the Committee on Banking and Currency.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. MILLER: Committee on the Judiciary. H. R. 9244. A bill providing for the establishment of a term of the District Court of the United States for the Northern District of Florida at Panama City, Fla.; without amendment (Rept. No. 2217). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on Merchant Marine and Fisheries. S. 1152. An act relating to the carriage of goods by sea; with amendment (Rept. No. 2218). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. S. 3483. An act to provide for rural electrification, and for other purposes; with amendment (Rept. No. 2219). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOLDSBOROUGH: Committee on Banking and Currency. H. R. 11689. A bill to amend title I of the National Housing Act, and for other purposes; with amendment (Rept. No. 2220). Referred to the Committee of the Whole House on the state of the Union.

#### CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 10623) granting a pension to Ida M. Reed, and the same was referred to the Committee on Pensions.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURDICK: A bill (H. R. 11958) to provide for the control of flood waters of the Missouri Valley, to improve navigation of the Missouri River, to provide for irrigation of arid and semiarid lands, divert the flood waters of the Missouri River to receding or receded natural lake beds, to provide for the restoration and preservation of the water level of the Missouri Valley, to protect the fertility of the soil of the Missouri Valley; to provide for the generation, distribution, and sale of electricity, and for other purposes; to the Committee on Flood Control.

By Mr. LANHAM: A bill (H. R. 11959) to amend the act entitled "An act to provide for the construction of certain public buildings, and for other purposes", approved May 25, 1926 (44 Stat. 630), as amended; to the Committee on Public Buildings and Grounds.

By Mr. LUCKEY: A bill (H. R. 11960) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebr.; to the Committee on Interstate and Foreign Commerce.

By Mr. McREYNOLDS: A bill (H. R. 11961) authorizing an appropriation for the payment of the claim of Gen. Higinio Alvarez, a Mexican citizen, with respect to lands on the Farmers Banco in the State of Arizona; to the Committee on Foreign Affairs.

By Mr. MAAS: A bill (H. R. 11962) to give the rank and pay of brigadier general to that officer of the Marine Corps detailed as director of aviation, Headquarters Marine Corps, while so serving, and for other purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 11963) to amend an act entitled "An act to regulate the strength and distribution of the line of the Navy, and for other purposes", approved July 22, 1935; to the Committee on Naval Affairs.

By Mrs. ROGERS of Massachusetts: A bill (H. R. 11964) granting the consent of Congress to the Commonwealth of Massachusetts, Middlesex County, and the city of Lowell, Mass., or any two of them, or any one of them to construct, maintain, and operate a free highway bridge across the Merrimack River at Lowell; to the Committee on Interstate and Foreign Commerce.



By Mr. RUDD: A bill (H. R. 11965) providing for the appointment of additional deputy marshals in the eastern district of New York; to the Committee on the Judiciary.

By Mr. CRAWFORD: A bill (H. R. 11966) to provide for building up a strong American merchant marine, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. GRANFIELD: A bill (H. R. 11967) relating to the authority of the Reconstruction Finance Corporation to make rehabilitation loans for the repair of damages caused by floods or other catastrophes, and for other purposes; to the Committee on Banking and Currency.

By Mr. KOPPLEMANN: A bill (H. R. 11968) relating to the authority of the Reconstruction Finance Corporation to make rehabilitation loans for the repair of damages caused by floods or other catastrophes, and for other purposes; to the Committee on Banking and Currency.

By Mr. McSWAIN: A bill (H. R. 11969) to promote national defense by organizing the Air Reserve Training Corps; to the Committee on Military Affairs.

By Mr. SANDLIN: A bill (H. R. 11970) to authorize the attendance of the Marine Band at the Arkansas Centennial Celebration at Little Rock, Ark., on June 2, 3, 4, and 5, 1936; the Texas Centennial at Dallas, Tex., on June 6, 7, and 8, 1936; and the Forty-sixth National Confederate Reunion at Shreveport, La., on June 9, 10, 11, and 12, 1936; to the Committee on Naval Affairs.

By Mr. McSWAIN: A bill (H. R. 11971) to promote the efficiency of the Army Air Corps; to the Committee on Military Affairs.

By Mr. RAMSPECK: Resolution (H. Res. 459) for granting a special rule for the consideration of H. R. 5051; to the Committee on Rules.

By Mr. BANKHEAD: Resolution (H. Res. 460) creating a select committee to investigate executive agencies of the Government with a view to coordination; to the Committee on Rules.

By Mr. CONNERY: Joint resolution (H. J. Res. 537) to provide emergency relief for victims of the flood in the Merrimack River Valley and region; to the Committee on Appropriations.

By Mr. McREYNOLDS: Joint resolution (H. J. Res. 538) to provide for participation by the United States in the Ninth International Congress of Military Medicine and Pharmacy in Rumania in 1937; and to authorize and request the President of the United States to invite the International Congress of Military Medicine and Pharmacy to hold its tenth congress in the United States in 1939, and to invite foreign countries to participate in that congress; to the Committee on Foreign Affairs.

#### MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the legislature of the State of New Jersey, memorializing Congress regarding the Works Progress Administration; to the Committee on Appropriations.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND: A bill (H. R. 11972) granting a pension to Edna P. Welsh; to the Committee on Invalid Pensions.

By Mr. DISNEY: A bill (H. R. 11973) for the relief of Bell Oil & Gas Co.; to the Committee on Claims.

By Mr. HEALEY: A bill (H. R. 11974) for the relief of Raymond Joseph Cormier; to the Committee on Naval Affairs.

Also, a bill (H. R. 11975) for the relief of William H. Rouncevill; to the Committee on Military Affairs.

Also, a bill (H. R. 11976) for the relief of Antonio Masci; to the Committee on Claims.

Also, a bill (H. R. 11977) for the relief of Fred J. DeRibas; to the Committee on Military Affairs.

By Mr. DIMOND: A bill (H. R. 11978) for the relief of J. W. Meyers; to the Committee on Claims.

By Mrs. JENCKES of Indiana: A bill (H. R. 11979) granting an increase of pension to Claude E. Maxwell; to the Committee on Pensions.

By Mr. KELLY: A bill (H. R. 11980) granting a pension to Annie Hickman; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 11981) granting a pension to Ben H. Buttry; to the Committee on Pensions.

Also, a bill (H. R. 11982) for the relief of George W. Fortner; to the Committee on Claims.

Also, a bill (H. R. 11983) granting a pension to Elizabeth F. Booher; to the Committee on Invalid Pensions.

By Mr. SHORT: A bill (H. R. 11984) for the relief of Oda Herbert Plowman; to the Committee on Naval Affairs.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

10574. By Mr. DARROW: Memorial of the Philadelphia Board of Trade, opposing enactment of House bill 9072, National Textile Commission bill; to the Committee on Interstate and Foreign Commerce.

10575. By Mr. JOHNSON of Texas: Petition of Mrs. J. E. Lambert, president, Parent-Teachers' Association Council of Freestone County, Teague, Tex., favoring House bill 6472, to abolish block booking of motion pictures; to the Committee on Interstate and Foreign Commerce.

10576. By Mr. LAMNECK: Petition of Mrs. B. F. Baughman, president, and Mrs. Karl R. Ausenheimer, secretary, Hesperian Club, 484 Wrexham Avenue, Columbus, Ohio, urging early hearings on the motion-picture bills now in Congress; to the Committee on Interstate and Foreign Commerce.

10577. By Mr. McCORMACK: Resolution of the Department of the District of Columbia, the American Legion, unanimously approving House bill 6427 and Senate bill 2253; to the Committee on Military Affairs.

10578. By Mr. PFEIFER: Petition of the Milwaukee Blind Post, No. 8, Disabled Veterans of the United States, favoring the enactment of House bills 9475 and 11503; to the Committee on World War Veterans' Legislation.

10579. By Mr. RISK: Resolution of the General Assembly of the State of Rhode Island, relative to the retention of the U. S. S. *Constellation* at Newport, R. I.; to the Committee on Naval Affairs.

## SENATE

TUESDAY, MARCH 24, 1936

(Legislative day of Monday, Feb. 24, 1936)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

#### THE JOURNAL

On request of Mr. ROBINSON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, March 23, 1936, was dispensed with, and the Journal was approved.

#### CALL OF THE ROLL

Mr. LEWIS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Byrd	George	Lonergan
Ashurst	Byrnes	Gibson	Long
Austin	Capper	Glass	McGill
Bachman	Caraway	Gore	McKellar
Bailey	Chavez	Guffey	McNary
Barbour	Clark	Hale	Maloney
Barkley	Connally	Hatch	Metcalf
Bilbo	Copeland	Hayden	Minton
Black	Couzens	Johnson	Moore
Borah	Davis	Keyes	Murphy
Brown	Donahey	King	Murray
Bulkley	Duffy	La Follette	Neely
Bulow	Fletcher	Lewis	Norbeck
Burke	Frazier	Logan	Norris